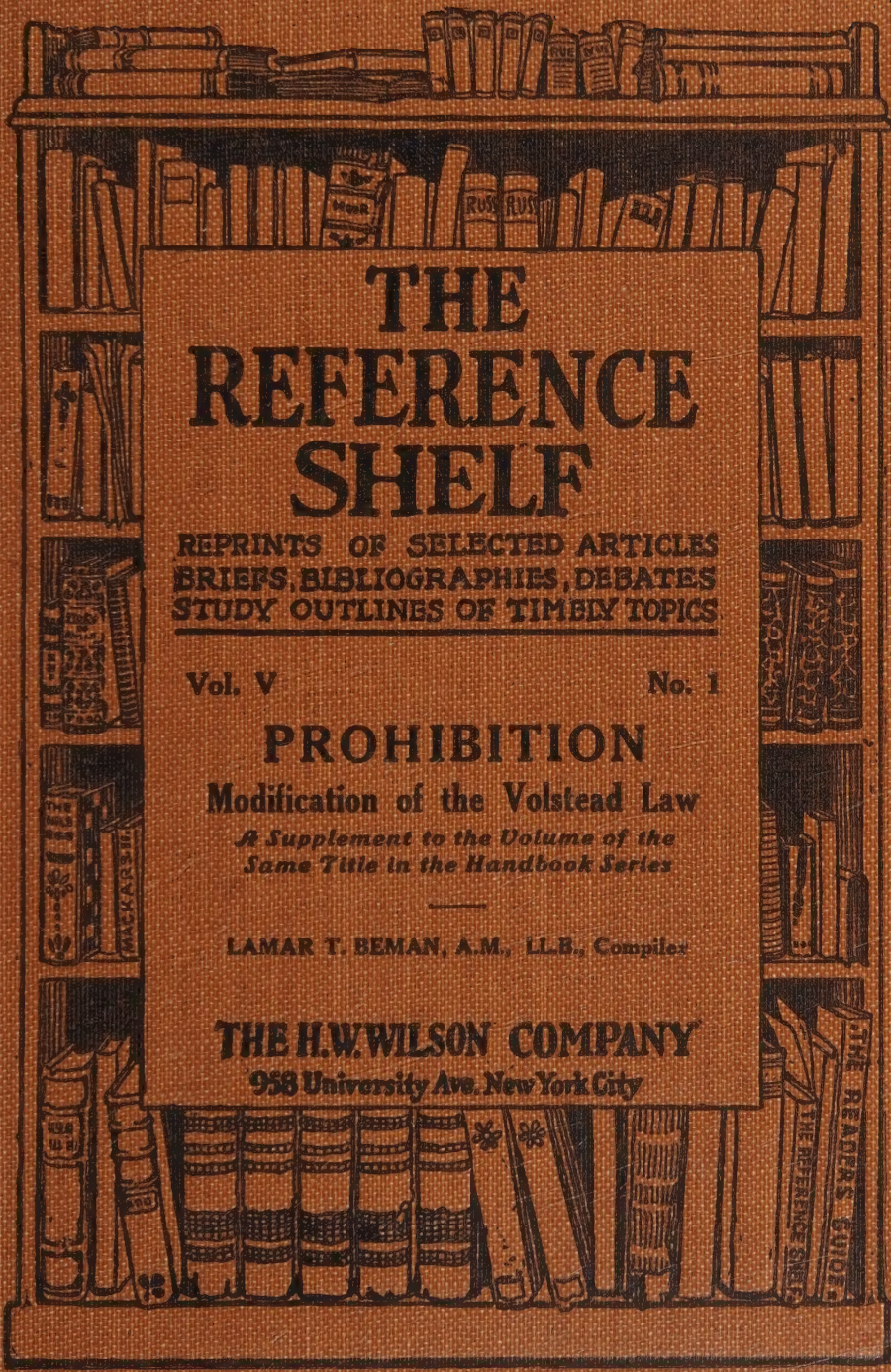
THE
REFERENCE
SHELF
REPRINTS OF SELECTED ARTICLES
BRIEFS, BIBLIOGRAPHIES, DEBATES
STUDY OUTLINES OF TIMELY TOPICS
Vol. V
No. 1
PROHIBITION
Modification of the Volstead Law
A Supplement to the Volume of the
Same Title in the Handbook Series
LAMAR T. BEMAN, A.M., LL.B., Compiler
THE H.W. WILSON COMPANY
958 University Ave. New York City

The Reference Shelf

is published to make available when needed good debates, collections of articles, briefs, bibliographies and study outlines, on timely subjects for public discussion. Each number is devoted to a single subject. To make the material available at the time of greatest need, publication is irregular. Each volume contains ten or more separate issues, about 1,000 pages in all, and covers about a year in time.

VOLUME I. *Contents*

Single copies, 75c unless otherwise noted; 8 copies, ordered at one time, $4.

No. 1. Cancellation of Allied Debt (Debate, briefs, references and reprints)

No. 2. China and Japan (Study outline) 50c

No. 4. Kansas Court of Industrial Relations *

No. 5. Towner-Sterling Bill (U. S. Department of Education) *

No. 6. Cabinet Form of Government *

No. 7. Enforcement of the Decisions of the Railway Labor Board *

No. 8. Ship Subsidies *

No. 10. Ku Klux Klan *

Nos. 3, 9 and 11 are out of print.

VOLUME II. *Contents*

Subscription price per volume of 8 numbers, $4.80.
Single numbers 90c.

No. 2. Permanent Court of International Justice *

No. 3. League of Nations *

No. 4. French Occupation of the Ruhr (Oxford-Bates debate, with briefs, references, reprints)

No. 5. Restriction of Immigration *

No. 7. Soldiers' Bonus *

No. 8. Power of Congress to Nullify Supreme Court Decisions (References, reprints)

No. 9. Superpower *

No. 10. Recognition of Soviet Russia *

Nos. 1 and 6 are out of print.

---

* Contains briefs, references and reprints of selected articles.

The Reference Shelf

Subscription for Volumes III and IV (10 issues each). $6.00.
Single numbers 90c. unless otherwise noted.

VOLUME III. *Contents*

No. 1. Tax-Exempt Securities *
No. 2. A Labor Party for the United States *
No. 3. Single Six-Year Term for President *
No. 4. Japanese Exclusion *
No. 5. Proportional Representation *
No. 6. Academic Freedom *
No. 7. Abolishment of Electoral College *
No. 8. Metric System *
No. 9. Child Labor *
No. 10. Outlawing the Pistol *

VOLUME IV. *Contents*

No. 1. Government Regulation of the Coal Industry (Supplementary to Handbook Government Ownership of Coal Mines)
No. 2. Election vs. Appointment of Judges *
No. 3. Military Training Compulsory in Schools and Colleges *
No. 4. St. Lawrence River Ship Canal (Supplement to Vol. 1, No. 3) *
No. 5. Federal Department of Education (Supplement to Towner-Sterling Bill, Vol. 1, No. 5) *
No. 6. The Direct Primary *
No. 7. Special Legislation for Women *
No. 8. Farm Relief. $1.25 *
No. 9. Civil Liberty. $1.25 *
No. 10. Questions of the Hour (Study outline). New edition.

VOLUME V. *Contents*

No. 1. Prohibition (Supplement to Handbook) *

In Preparation

Religious Teaching in the Public Schools
Independence for the Philippines

Future Issues to be Announced

Articles supplementing the material published in the numbers of the Reference Shelf will be found on reference to the Readers' Guide to Periodical Literature.

THE REFERENCE SHELF

Volume V Number 1

PROHIBITION

MODIFICATION OF THE VOLSTEAD LAW

A Supplement to the Volume of Same Title in the Handbook Series

COMPILED BY
LAMAR T. BEMAN, A.M., LL.B.
Attorney at Law, Cleveland, O.

NEW YORK
THE H. W. WILSON COMPANY
1927

Published June 1927
Printed in the United States of America

INTRODUCTION

This volume is designed as a supplement to the Handbook on *Prohibition: Modification of the Volstead Law,* published in December, 1924. It endeavors to bring up to date the bibliography and the discussion in the Handbook. No briefs are given here because those in the Handbook cover the ground. The discussion of prohibition today differs from what it was two years ago chiefly in that its opponents no longer lay so much emphasis on their demand for 2.75 beer as their idea of a solution of the problem, but are now making a demand for states' rights the leading point of their attack. The argument on both sides of this question is given fully in the Handbook on *States' Rights,* published in September, 1926. The briefs in this book are complete.

In the present volume an effort is made to give a fairly full bibliography of the best of the vast literature on prohibition that has appeared in the two years since the Handbook was published. Much of this literature has been excluded simply because it is not available in most of the libraries. This applies to newspaper articles, to material in the technical and more rare magazines, to foreign magazines and periodicals that the libraries do not keep and bind, and to most of the speeches made in Congress, of which there have been a very great number. The *Congressional Record* is so well indexed that all of this material is available wherever the bound volumes are accessible.

There have been many good articles and series of articles in the better newspapers, such as the occasional editorials in the *New York Times,* the series of articles in the *New York Herald-Tribune* in July, 1926 by M. Jay Racusin, and in August, 1926 by Forest Davis, and

in March, 1927 by Martha B. Bruère, and the series of articles in the *Christian Science Monitor* in July, 1926 on the workings of the Quebec Liquor Control System.

While this volume has been in press two notable debates on this question have been held, the first in Boston on April 8, 1927, between Senator William E. Borah and President Nicholas Murray Butler of Columbia University, the other in New York city on April 23, between Clarence Darrow, the Chicago attorney, and Wayne B. Wheeler, the General Counsel and Legislative Superintendent of the Anti-Saloon League. Both of these debates, and particularly the former one, are real contributions to the literature of the subject. While neither has yet appeared in book or pamphlet form, both undoubtedly will be so published in the near future. Both were published in full in the *New York Times* and some other newspapers.

LAMAR T. BEMAN

Cleveland, Ohio
March 1, 1927

CONTENTS

PAGE

INTRODUCTION 3

BIBLIOGRAPHY

Bibliographies, Briefs and Debates 7
General References 8
Affirmative References 21
Negative References 27

GENERAL DISCUSSION

Hudson, Grant M. Liquor Interests and Breweries Continue Financing Association Against the Prohibition Amendment. Congressional Record 37
Kellogg, John H. Alcohol—a Discredited Drug .... Good Health 49
Brief Excerpts 64

AFFIRMATIVE DISCUSSION

Wood, Charles S. Failure of the Volstead Act 69
Towner, Rutherford H. Prohibition and Caste.... ..... Forum 84
Butler, Nicholas Murray. Repeal of the Eighteenth Amendment.....New York Times 92
Brief Excerpts 102

NEGATIVE DISCUSSION

Upton, Leroy S. Economic Phases of Prohibition ..... Manufacturers' Record 109
McIntosh, James. Prohibition and Sincerity..... 120

Benson, Allen L. The Propaganda Against Prohibition ..... Good Housekeeping 133
Booth, Evangeline. Prohibition Ending Wife Beating ..... Literary Digest 145
Brief Excerpts 147

BIBLIOGRAPHY[1]

An asterisk (*) indicates that the article or a part of it has been reprinted in this volume. An obelisk (†) marks a few of the best of the other references.

Bibliographies, Briefs and Debates

Arnold, John H. The debater's guide. Handy Book Corp. Harrisburg, Pa. '25.

p. 277-81. Revision of prohibition law. Topics and references.

Carpenter, Oliver C. Debate outlines on public questions. Minton, Balch & Co. N.Y. '24.

p. 29-38. Repeal of the prohibition amendment. Briefs and references.

Darrow, Clarence and Holmes, John H. Debate on prohibition. League for Public Discussion. N.Y. '24.

International Student. 24: 52-3. D. '26. Bibliography on the liquor problem and prohibition.

Library of Congress. List of recent references on the eighteenth amendment and its enforcement. 9p. typw. Wash. D.C. '25.

*New York Times. Ap. 9, '27. The Borah-Butler debate.

New York Times. Ap. 24, '27. The Wheeler-Darrow debate.

Phelps, Edith M. University debaters' annual 1924-1925. H. W. Wilson Co. N.Y. '25.

p. 321-66. Amendment of the Volstead act. Briefs, bibliography and speeches University of Virginia debate.

[1] This bibliography supplements the one appearing in "Prohibition: Modification of the Volstead Law," published in 1924 in the Handbook Series. (L. T. Beman, comp.)

Robbins, Edwin C. High School debate book. rev. ed. McClurg. Chicago. '25.

p. 166-72. Resolved, that the eighteenth amendment, commonly known as the Volstead act, [sic] should be repealed. Briefs and references.[2]

Warner, Harry S. Why prohibition? Will it work? 62p. Intercollegiate Prohibition Association. Wash. D.C. '25.

p. 60-2. A brief bibliography on current problems of liquor and prohibition.

General References

Books and Pamphlets

Cherrington, Ernest H. Standard encyclopedia of the alcohol problem. American Issue Pub. Co. Westerville, O. '25-'26.

Three volumes have been published. Several more are yet to come.

Child, Richard W. Battling the criminal. Doubleday, Page & Co. Garden City, N.Y. '25.

Colvin, D. Leigh. Prohibition in the United States: a history of the prohibition party and of the prohibition movement. Doran. N.Y. '26.

†Federal Council of the Churches of Christ in America. The prohibition situation. Research Bulletin no. 5. 83p. N.Y. '25.

Miles, Walter R. Alcohol and human efficiency. Carnegie Institution of Washington. Wash. D.C. '24.

National Conference of Social Work. Proceedings of the fifty-first annual session. University of Chicago Press. Chicago. '24.

p. 48-54. Some current fallacies with regard to alcohol. Eugene L. Fisk.

p. 54-61. Prohibition: the problem of enforcement from the federal standpoint. Mabel W. Willebrandt.

New International Year Book. Dodd, Mead & Co. N.Y. Annual.

[2] Both from this statement of the question and from the use of the terms in his briefs, one is forced to believe that the author thinks that the Eighteenth amendment and the Volstead law are one and the same thing! About a third of the references given were published before the Volstead law was adopted!

Sargent, John G. Law observance; address before New York state bar association, Jan. 22, 1926. 8p. Citizens Law Enforcement Committee of One Thousand. N.Y. '26.

†United States. House of Representatives. Proposed modification of the prohibition law to permit the manufacture, sale, and use of 2.75 per cent beverages: hearing before the Committee on the judiciary. Ap. 21-My. 21, '24. 2pts. 653p. Wash. D.C. '24.

United States. House of Representatives. Survey of alcoholic liquor traffic and the enforcement of the eighteenth amendment: hearings before the subcommittee of the Committee on alcoholic liquor traffic. F. 16, '25. 132p. Wash. D.C. '25.

United States. House of Representatives. Customs and prohibition reorganization: hearings before the Committee on ways and means, Mr. 5-6, '26. 105p. Wash. D.C. '26.

United States. Senate. Bureau of prohibition: hearings before a subcommittee of the Committee on the judiciary on H.R. 6645 to provide for a Bureau of prohibition in the treasury department etc. D. 18-19, '24. 265p. Wash. D.C. '24.

United States. Senate. Extension of civil service regulations to prohibition agents: hearing before the Committee on civil service. Ap. 10, '26. 51p. Wash. D.C. '26.

†United States. Senate. The National prohibition law: hearings before the subcommittee of the Committee on the judiciary, Ap. 5-24, '26. 2 vols. Wash. D.C. '26.

*2.75 per cent—. Toxic effects of weak alcoholic liquors. 4p. Anti-Saloon League. Wash. D.C. '25.

Periodicals

American Review. 2: 142-54. Mr. '24. Prohibition and alcoholic mental disease. H. M. Pollock and E. M. Furbush.

†Atlantic Monthly. 135:70-7. Ja. '25. The unarmed invasion. Stuart H. Perry.
Atlantic Monthly. 136:44-6. Jl. '25. Selling it.
Atlantic Monthly. 137:158-67. F. '26. Prohibition without propaganda. F. Ernest Johnson.
American Bar Association. Journal. 11:389-96. Je. '25. Padlock injunctions. James M. Olmstead.
American Bar Association. Journal. 11:663-6. O. '25. Abatement of liquor nuisance under the Volstead act. Eusebio Chacon.
American City. 32:166-7. F. '25. Municipal prohibition enforcement ordinances. Wayne B. Wheeler.
Catholic World. 121:31-5. Ap. '25. Prohibition, pro and con. John A. Ryan.
Christian Century. 42:1145-7. S. 17, '25. Facing prohibition facts. F. Ernest Johnson.
Christian Century. 42:1212-14. O. 1, '25. Has dry enforcement collapsed? F. Ernest Johnson.
Christian Century. 42:1242-4. O. 8, '25. The dry fight just ahead. F. Ernest Johnson.
Christian Century. 42:1433-5. N. 19, '25. The prohibition crisis.
Christian Century. 43:1382-3. N. 11, '26. The moral crisis of prohibition.
Christian Century. 43:1478-9. D. 2, '26. The political dry.
†Christian Century. 44:488-9. Ap. 21, '27. Where does prohibition go from here?
Collier's Weekly. 75:12-13, 42-3. Ja. 24, '25. A modern pirate walks the plank. William S. McNutt.
Collier's Weekly. 75:5-6, 26, 47-8. Mr. 21, '25. After the bootlegger, what? William G. Shepherd.
Collier's Weekly. 75:5-6, 36-7. My. 2, '25. Who's drinking in America—and what? William G. Shepherd and W. O. Saunders.
Collier's Weekly. 75:5-6, 38, 40, 42. My. 23, '25. The rum runner's new enemy. William G. Shepherd.

Collier's Weekly. 75:8-9, 39-41. My. 30, '25. At the run row war. William G. Shepherd.

Collier's Weekly. 75:13-14, 32-5. Je. 6, '25. A big catch on rum row. William G. Shepherd.

Collier's Weekly. 76:18-19, 38. Jl. 25, '25. Running a rum blockade. Captain Dingle.

Collier's Weekly. 76:8-9. Ag. 29, '25. Why I have a bootlegger.

Collier's Weekly. 76:5-6. S. 19, '25. Rotten to the core. William G. Shepherd.

Collier's Weekly. 76:25. Ag. 29, '25. Vote as you drink. Emery R. Buckner.

Collier's Weekly. 76:10, 46-7. S. 26, '25. Women are dry but helpless. William G. Shepherd.

Collier's Weekly. 76:8-9. O 3, '25. With us, the deluge. William G. Shepherd.

Collier's Weekly. 76:8-9, 49. O. 10, '25. Booze is the victor. William G. Shepherd.

Collier's Weekly. 76:22-3. O. 17, '25. The road from rum and ruin.

Collier's Weekly. 76:15, 43-5. O. 24, '25. What senators say about wet spoils.

Collier's Weekly. 76:22. D. 5, '25. To the senators the spoils. editorial.

Collier's Weekly. 76:7-8, 34-6. D. 12, '25. Crime preserved in alcohol. William G. Shepherd.

Collier's Weekly. 77:7-8. Ja. 30, '26. Prohibition is up to you. William G. Shepherd.

Collier's Weekly. 77:15, 36. F. 6, '26. Izzy and Moe stop the show. John K. Winkler.

Collier's Weekly. 77:9-10, 38. Mr. 6, '26. Lips that touch liquor. Owen P. White.

Collier's Weekly. 77:10, 47. Mr. 13, '26. The biggest rum king. William G. Shepherd.

Collier's Weekly. 78:23. Jl. 3, '26. As Kansas sees prohibition. William A. White.

Collier's Weekly. 78: 10, 27. O. 16, '26. $119.25 poison money. William G. Shepherd.

†Congressional Digest. 4: 1-35. O. '24. Enforcing national prohibition in the United States.

†Congressional Digest. 5: 187-205. Je. '26. Congress and prohibition enforcement.

*Congressional Record. 68: 690-6. (current file). D 17, '26. Liquor interests and breweries continue financing Association against the prohibition amendment: extension of remarks made. D. 11, '26. Grant M. Hudson.

Consensus. 11: 1-45. N. '26. The causes of lawlessness and disrespect for law.

Cosmopolitan. 80: 34-5, 162-4. My. '26. I had to lie, bribe, and drink to put over prohibition in America. William E. [Pussyfoot] Johnson.

Current History. 24: 165-6. My. '26. As a political issue. William MacDonald.

Current History. 24: 440-2. Je. '26. Opening of the anti-prohibition campaign. William MacDonald.

Current History. 25: 6-13. O. '26. Conversion of the churches from wet to dry. Mark Mohler.

Current History. 25: 214-16. N. '26. Prohibition progress compared with other great reforms. Elizabeth Tilton.

Forum. 73: 99-106. Ja. '25. The romance of rum row. Wayne B. Wheeler and Hendrik W. Van Loon.

*Good Health. 61: 5-8, 28-9. Je.-Jl. '26. Alcohol—a discredited drug. John H. Kellogg.

Harper's Monthly. 153: 125-8. Je. '26. Neighbors, rum, and love of money. Edward S. Martin.

Homiletic Review. 87: 140-3. F. '24. The prohibition crisis—a national task of re-education. F. E. Johnson.

Independent. 114: 34-6, 67-8, 92-4. Ja. 10, 17, 24, '25. Fighting rum row. Samuel T. Moore.

Independent. 114: 519-20. My 9, '25. Lawmaking and lawbreaking. Edwin M. Abbott.
Independent. 115: 381-3. O. 3, '25. Politics and prohibition enforcement. Robert B. Smith.
Independent. 116: 147. F. 6, '26. The question of enforcement.
Independent. 116: 205. F. 20, '26. I will not; thou shall not.
Independent. 116: 261. Mr. 6, '26. Prohibition and the voice of labor.
Independent. 116: 483-5. Ap. 24, '26. A program for the wets. Henry Hazlitt.
Independent. 116: 540-1, 558-9. My. 8, '26. Dry America; a close-up through English eyes. J. St. Loe Strachey.
Independent. 116: 677. Je. 12, '26. Demonstrating the obvious.
Journal of Social Forces. 2: 654-7. S. '24. Prohibition and statistics. Stuart A. Rice.
Literary Digest. 82: 16. Ag. 23, '24. How dry is Kansas?
Literary Digest. 83: 14-15. N. 15, '24. Firing lax dry enforcers.
Literary Digest. 83: 12-14. N. 29, '24. Congressman Hill's cider.
Literary Digest. 83: 48-53. D. 13, '24. Plugging liquor leaks in the Canadian border.
Literary Digest. 83: 13. D. 20, '24. Jersey's whisky rebellion.
Literary Digest. 84: 12-14. Ja. 10, '25. The new effort to enforce prohibition.
Literary Digest. 84: 12-13. Ja. 24, '25. Keep sober with Coolidge.
Literary Digest. 84: 8-9. Mr. 21, '25. To dry New York with padlocks.
Literary Digest. 85: 7-9. Ap. 4, '25. To put local dryness up to local officers.

Literary Digest. 85:76-9. Ap. 4, '25. Ups and downs of the flying bootleggers.
Literary Digest. 85:52-6. Ap. 11, '25. Mr. Buckner and his debunking padlocks.
Literary Digest. 85:13-14. Ap. 18, '25. A soldier to fight bootleggers.
Literary Digest. 85:11-12. My. 9, '25. A British booze baron busted.
Literary Digest. 85:19. My. 23, '25. Britain and rum-running.
Literary Digest. 85:8-10. My. 30, '25. Outlook for dry enforcement in our big cities.
Literary Digest. 85:34-6. My. 30, '25. Shanghaied aboard a rum ship.
Literary Digest. 86:9-10. Jl. 11, '25. Now for real enforcement.
Literary Digest. 86:31-2. Jl. 25, '25. Plain citizens to citizens.
Literary Digest. 86:12-13. Ag. 1, '25. Dearth of drink not driving us to drugs.
Literary Digest. 86:8-10. Ag. 15, '25. To take prohibition out of politics.
Literary Digest. 86:5-7. S. 26, '25. Prohibition realities found by the churches.
Literary Digest. 87:5-7. O. 3, '25. Both sides find a kick in the church dry report.
Literary Digest. 87:30-1. O. 24, '25. How to make prohibition succeed.
Literary Digest. 87:13. O. 31, '25. A man's home still his castle.
Literary Digest. 87:29-30. N. 28, '25. More dampening for the wets.
Literary Digest. 87:8-9. D. 5, '25. Shall we jail only the big bootleggers?
Literary Digest. 87:12-13. D. 19, '25. Dry appeals to the President and the pope.

Literary Digest. 88:26. Ja. 2, '26. Prohibition by moral suasion.
Literary Digest. 88:5-7. F. 13, '26. Putting prohibition up to the people.
Literary Digest. 88:7-10. F. 20, '26. Church discord on prohibition.
Literary Digest. 88:50-2. F. 27, '26. Foxy gassoons are Izzy and Moe.
Literary Digest. 89:7-10. Ap. 3, '26. Testing prohibition with straw votes.
Literary Digest. 89:5-7. Ap. 10, '26. John Barleycorn to run for Congress.
Literary Digest. 89:23. Ap. 10, '26. Prohibition and the new chemistry.
Literary Digest. 89:36, 38, 42. My. 1, '26. The tiger claws of Pussyfoot Johnson.
Literary Digest. 89:31-2. My. 8, '26. A bishop opposes the church in politics.
Literary Digest. 89:5-7. My. 29, '26. The "bare and Beer" victory as a national portent.
Literary Digest. 89:9-11. Je. 5, '26. The explosion caused by the Coolidge dry order.
Literary Digest. 89:5-8. Je. 12, '26. Borah out to fight dry referendums.
Literary Digest. 89:10-11. Je. 19, '26. Results of the wet and dry hearings.
Literary Digest. 90:8-9. Jl. 10, '26. Is prohibition worth $35,000,000.00?
†Literary Digest. 90:30-1, 45-73. Jl. 10, '26. College student drinking since prohibition.
Literary Digest. 90:24-5, 44-57. Jl. 17, '26. College student editors on college drinking.
Literary Digest. 90:42-6. Jl. 24, '26. America can be made bone dry in six months.
Literary Digest. 90:28-9. Ag. 7, '26. Movies on the water wagon.

Literary Digest. 90:31-2. Ag. 14, '26. The good news from the campus.
Literary Digest. 90:15-16. Ag. 21, '26. Wet spots in western primaries.
Literary Digest. 90:18. S. 11, '26. General Andrews's 125 per cent victory.
Literary Digest. 91:14-15. O. 16, '26. Wets and drys fight with figures.
Literary Digest. 91:31-2. O. 23, '26. Prohibition and New York's poor.
Literary Digest. 91:7-9. N. 13, '26. How the nation views the wet and dry vote.
Literary Digest. 91:18. N. 20, '26. Bad news for bootleggers.
Mental Hygiene. 8:548-70. Ap. '24. Prohibition and alcoholic mental disease. H. M. Pollock and E. M. Furbush.
Nation. 120:108-9. F. 4, '25. The prohibition mess.
Nation. 120:385. Ap. 8, '25. Prohibition. Elizabeth H. Tilton.
Nation. 122:306. Mr. 24, '26. Prohibition and politics.
Nation. 122:471-3, 503-4. Ap. 28-My. 5, '26. Prohibition on trial. H. C. Engelbrecht.
Nation. 122:624. Je. 9, '26. Vote as you drink.
Nation. 122:691-2. Je. 23, '26. Amorousness and alcohol. Mary Austin.
Nation. 123:497. N. 17, '26. Wet or dry?
New Republic. 44:93-4. S. 16, '25. Washington notes.
New Republic. 44:109-11. S. 23, '25. Shall we have prohibition?
New Republic. 44:178-9. O. 7, '25. The higher alcohol. Robert Littell.
New Republic. 45:178-9. Ja. 6, '26. Politics and prohibition.
New Republic. 45:280-2. F. 3, '26. The prohibition muddle.
New Republic. 47:45-7. Je. 2, '26. Pepper as prophecy.

New Republic. 47:85-6. Je. 9, '26. Westward, Ho. Felix Ray.
New Republic. 48:304-5. N. 3, '26. Basic fact of prohibition. G. E. G. Catlin.
North American Review. 221:481-5. Mr. '25. The call to patriotism. William F. Anderson.
Outlook. 137:476-8. Jl. 23, '24. Hooch de luxe. Samuel Wilson.
Outlook. 137:620. Ag. 27, '24. The war on rum row.
Outlook. 138:78. S. 17, '24. Making bootlegging easy.
Outlook. 138:481. N. 26, '24. The wets rejoice without much reason.
Outlook. 138:718-22. D. 31, '24. Ten bucks and a bottle of booze. Ernest W. Mandeville.
Outlook. 139:205-6. F. 11, '25. Liquor and international law.
Outlook. 139:262-5. F. 18, '25. Prohibition—farce or triumph? Ernest W. Mandeville.
Outlook. 139:299-302. F. 25, '25. More sin and gin. Ernest W. Mandeville.
Outlook. 139:340-2. Mr. 4, '25. The biggest city and its booze. Ernest W. Mandeville.
Outlook. 139:374-6. Mr. 11, '25. What happened to Sally? Ernest W. Mandeville.
Outlook. 139:397-8. Mr. 18, '25. Prohibition and courage.
Outlook. 139:417-21. Mr. 18, '25. Booze here and there. Ernest W. Mandeville.
Outlook. 139:454-7. Mr. 25, '25. Signs of drought. Ernest W. Mandeville.
Outlook. 139:497-9. Ap. 1, '25. Prohibition, the law and the facts. Ernest W. Mandeville.
Outlook. 139:535-7. Ap. 8, '25. New Jersey, Pittsburgh, and Cleveland. Ernest W. Mandeville.
Outlook. 139:557. Ap. 15, '25. Reorganizing prohibition enforcement.

Outlook. 139:612-14. Ap. 22, '25. Detroit set a bad example. Ernest W. Mandeville.

Outlook. 140:21-4. My. 6, '25. Prohibition in Chicago and Cincinnati. Ernest W. Mandeville.

Outlook. 140:85. My. 20, '25. The repulse of the rum runners.

Outlook. 140:125. My. 27, '25. Coolidge in command.

Outlook. 140:260-4. Je. 17, '25. Prohibition—the capital city. Ernest W. Mandeville.

Outlook. 140:299-300. Je. 24, '25. Drinking in the colleges. Ernest W. Mandeville.

Outlook. 140:400-3. Jl. 15, '25. The sources of the booze supply. Ernest W. Mandeville.

Outlook. 140:428-30. Jl. 22, '25. Prohibition questions answered. Ernest W. Mandeville.

Outlook. 140:516-17. Ag. 12, '25. Drinks, drugs, and America. G. A. S. Kennedy.

Outlook. 140:589-92. Ag. 26, '25. What ails prohibition? Samuel Wilson.

Outlook. 141:49-51. S. 9, '25. The balance sheet of prohibition. F. Ernest Johnson.

Outlook. 141:546. D. 9, '25. Spiking a spigot.

Outlook. 142:198-9. F. 10, '26. To tighten enforcement.

Outlook. 142:236-8. F. 17, '26. Gearing up prohibition enforcement.

Outlook. 142:249. F. 17 '26. Trial by jury. Samuel J. Beck.

Outlook. 142:448-50. Mr. 24, '26. Alcoholic content and discontent. Dixon Merritt.

Outlook. 142:557-9. Ap. 14, '26. Petitio principii. Lawrence F. Abbott.

Outlook. 142:598-9. Ap. 21, '26. Whisky and peanuts. Lawrence F. Abbott.

Outlook. 142:599-600. Ap. 21, '26. Soup and wine. Don C. Seitz.

Outlook. 143:6-8. My. 5, '26. After the wet-dry battle.

Outlook. 143: 16-18. My. 5, '26. College thinking about college drinking. Lawrence F. Abbott.
Outlook. 143: 164. Je. 2, '26. Prohibition enforcement.
Outlook. 143: 174-5. Je. 2, '26. Can a prohibition agent be honest? Ernest W. Mandeville.
Outlook. 143: 195-6. Je. 9, '26. Borah on prohibition.
Outlook. 143: 206-8. Je. 9, '26. The raiding parson. Ernest W. Mandeville.
Outlook. 143: 210-13. Je. 9, '26. Facing the prohibition question. Charles Stelzle.
Outlook. 143: 246-7. Je. 16, '26. Federal prohibition as seen from Kansas. Elmer T. Peterson.
Outlook. 143: 310-11. Je. 30, '26. A dry county in a wet state. Ernest W. Mandeville.
Outlook. 143: 469-71. Ag. 4, '26. Three men from Maryland. Remsen Crawford.
Outlook. 143: 434-5. Jl. 28, '26. Prohibition and nullification.
†Outlook. 144: 49-50. S. 8, '26. The reason why. Imogen B. Oakley.
Popular Mechanics. 43: 27-32. Ja. '25. Guarding Uncle Sam's borders.
Quarterly Review. 246: 176-88. Ja. '26. Prohibition.
Review of Reviews. 73: 305. Mr. '26. Prohibition enforcement and the church.
Review of Reviews. 73: 532-3. My. '26. Prohibition and its enforcement.
Review of Reviews. 74: 124-8. Ag. '26. Congress and prohibition.
Saturday Evening Post. 197: 28. Je. 20, '25. Unfinished business. editorial.
Saturday Evening Post. 198: 6-7, 129-30, 133. Ja. 23, '26. Denatured alcohol: our national drink. Walton Green.
Saturday Evening Post. 198: 22-3. 121-3. Mr. 13, '26. Name your poison, gents. Walton Green.

Saturday Evening Post. 198: 42-5. 129-34. My. 8, '26. Twilight zone of prohibition. Walton Green.

Saturday Evening Post. 198: 22-3, 170-4. Je. 12, '26. Who's who in hooch. Walton Green.

Saturday Evening Post. 199: 34, 37, 109-10, 113-14. O. 2, '26. Loose islands and lax courts. Walton Green.

Saturday Review of Literature. 2: 401-2. D. 12, '25. Federalist: 1925 model.

Sunset. 55: 16-19, 60-2. O. '25. Rum warfare along the Pacific coast. D. R. Lane.

Survey. 55: 34. O. 1, '25. What the churches find as to prohibition.

Survey. 55: 35-6. O. 1, '25. What is to be done about it? F. Ernest Johnson.

Survey. 56: 357-8, 393. Je. 15, '26. Prohibition: Wayne county speaks. William J. Norton.

Survey. 56: 507-10, 520-5. Ag. 1, '26. Prohibition in the long run. Arthur Newsholme.

†Survey. 56: 581-3. S. 1, '26. War, law, and alcoholism; a statistical exploration. J. R. Earp.

World Tomorrow. 8: 35-8. F. '25. Prohibition and public opinion. F. Ernest Johnson.

World Tomorrow. 8: 38-40. F. '25. Was prohibition put across? Cora F. Stoddard.

World Tomorrow. 8: 40-1. F. '25. How the country rules the city.

World Tomorrow. 8: 41. F. '25. Points in the prohibition law.

World Tomorrow. 8: 42-3. F. '25. That little brown jug. John L. Elliott.

World Tomorrow. 8: 43-5. F. '25. Is alcohol a poison? Eugene L. Fisk.

World Tomorrow. 8: 45-6. F. '25. Alcohol as the servant of art and friendship. Floyd Dell.

World Tomorrow. 8: 49-51. F. '25. The ethics of compulsion. Paul Jones.

World's Work. 48:240. Jl. '24. College presidents on prohibition and public order.
World's Work. 48:241. Jl. '24. Repeal or enforcement.
World's Work. 49:265-72, 428-35, 507-13, 661-7. Ja.-Ap. '25. Prohibition as it is. Rollin L. Hartt.
World's Work. 50:299-304. Jl. '25. The church in politics. Rollin L. Hartt.
World's Work. 50:352-3. Ag. '25. Prosecuting only the big liquor men.
World's Work. 51:569-71. Ap. '26. Can prohibition laws be enforced?
World's Work. 52:235-7. Jl. '26. Around the world with demon rum.
World's Work. 52:677-83. O. '26. Why prohibition is an issue. Mark Sullivan.
World's Work. 53:5-6. N. '26. Enforcement, repeal and nullification.
Yale Review. n.s. 15:433-47. Ap. '26. Law, liberty, and progress. Henry W. Farnam.

Affirmative References

(*Favoring Modification or Repeal of the Volstead Law.*)

Books and Pamphlets

Judson, Harry P. Our federal republic. Macmillan. N.Y. '25.
p. 83-121. Has the federal equilibrium been maintained?
Lamar, William H. Common sense and state rights. 18p. Thomas Jefferson League. '26.
Martin, George W. The duty of rebellion. 12p. New York Evening Post. N.Y. '26.
Moderation League. A national survey of conditions under prohibition. 18p. N.Y. '25.
Shirk, Stanley. A national survey of conditions under prohibition. 23p. Moderation League. N.Y. '26.
Stevenson, Eugene. Fallacies of Volsteadism. 9p. Moderation League. N.Y. '25.

†Wood, Charles S. A criticism of national prohibition. 138p. Association Against the Prohibition Amendment. Wash. D.C. '26.

Periodicals

American Mercury. 2:419-27. Ag. '24. The ordeal of prohibition. Clarence S. Darrow.

American Mercury. 4:42-7. Ja. '25. A saloon keeper's son. B. J. Agnew.

American Mercury. 7:404-11. Ap. '26. The retreat from utopia. Harold MacGrath.

Atlantic Monthly. 137:168-73. F. '26. The question of personal liberty. Morton P. Fisher.

†Atlantic Monthly. 138:1-11. Jl. '26. Liberty and sovereignty. George W. Martin.

Atlantic Monthly. 138:518-24. O. '26. Get at the facts. William E. Dever.

Atlantic Monthly. 138:525-8. O. '26. The personal problem. Jerome D. Greene.

Catholic World. 121:145-57. My. '25. Do the prohibition laws bind in conscience? John A. Ryan.

Catholic World. 123:112-18. Ap. '26. Editorial comment.

Collier's Weekly. 73:9. Je. 21, '24. They're drinking more than ever. Jack O'Donnell.

Collier's Weekly. 77:25. Ja. 9, '26. Law without consent is dead. Chester T. Crowell.

Collier's Weekly. 77:27. Ja. 30, '26. The new liquor license. Don Marquis.

Collier's Weekly. 77:20. F. 27, '26. Time for action.

Collier's Weekly. 77:30. Mr. 27, '26. A prohibitionist swears off. Arthur T. Abernethy.

Collier's Weekly. 77:20. My. 15, '26. Repeal the eighteenth amendment.

Collier's Weekly. 78:9, 37. Jl. 31, '26. We're going to stay wet. William C. Bruce.

†Collier's Weekly. 78:8-9, 44-6. S. 25, '26. Prohibition poisoned Chicago. William G. Shepherd.

Collier's Weekly. 78:8, 32, 34. O. 30, '26. Out of the frying pan. William G. Shepherd.

*Congressional Record. 67:832-42. D. 15, '25. Proposed modification of the Volstead act. Walter E. Edge.

†Congressional Record. 67:6842-7. Ap. 5, '26. Amendment of the prohibition law. William C. Bruce.

†Congressional Record. 68:41-50. (current file). D. 7, '26. Prohibition enforcement. William C. Bruce.

Contemporary Review. 129:712-21. Je. '26. Crisis of prohibition. S. K. Ratcliffe.

Current History. 22:687, 695-704, 706-8. Ag. '25. Is prohibition a success after five years? William C. Bruce.

Current History. 23:9-11. O. '25. Claims of prohibitionists. Fabian Franklin.

Current History. 24:161-4. My. '26. A failure. John Philip Hill.

†Current History. 25:305-9. N. '26. The case of the wets for state rights. Matthew P. Andrews.

Current History. 25:326-31. D. '26. Commendable features of the Quebec plan. Pierre S. du Pont.

†Edinburgh Review. 243:102-22. Ja. '26. The fruits of prohibition. Elmer E. Stoll.

Forum. 74:897-902. D. '25. Our sumptuary civil war. Don Seitz.

*Forum. 76:91-8. Jl. '26. Prohibition and caste. Rutherford H. Towner.

Harper's Magazine. 151:641-8. N. '25. Law making and law enforcement. Arthur T. Hadley.

Harper's Monthly. 152:663-9. My. '26. Church and the law. Charles Fiske.

Harper's Monthly. 153:476-80. S. '26. Upholding the constitution.

Harper's Magazine. 154:51-6. D. '26. Our predicament under the eighteenth amendment. Walter Lippmann.

Harvard Graduates Magazine. 33: 54-69. S. '24. Prohibition and democracy. Robert D. Weston.
Harvard Graduates Magazine. 33: 397-402. Mr. '25. Against prohibition. Robert G. Hooker.
Independent. 114: 652, 680. Je. 6, 13, '25. Prohibition enforcement. E. Clinton Rhoads.
Independent. 115: 121-3. Ag. 1, '25. More teeth for the Volstead act. Robert B. Smith.
Independent. 116: 683-4, 699. Je. 12, '26. Must Congress enforce an amendment? Julian Codman.
Independent. 117: 151-2, 168. Ag. 7, '26. After Andrews, what? Robert B. Smith.
Literary Digest. 84: 32-3. Ja. 10, '25. The terrible toll of holiday hooch.
Literary Digest. 84: 14. F. 7, '25. The wet drys in Congress.
Literary Digest. 84: 24. F. 28, '25. Alcoholism and prohibition.
Literary Digest. 84: 40-6. Mr. 14, '25. Wet waves and dry enforcers.
Literary Digest. 85: 5-8. My. 23, '25. The battle of rum row.
Literary Digest. 89: 5-7. Ap. 24, '26. The wets state their side of the case.
Literary Digest. 92: 5-7. Ja. 15, '27. Murder by poison bootleg liquor.
Manufacturers' Record. 88: 72-3. N. 26, '25. Mr. Armand May returns to the attack on prohibition, but does not strengthen his cause. Armand May.
Manufacturers' Record. 89: 54. Ja. 14, '26. A New York lawyer on personal liberty and prohibition. Murray T. Quigg.
Nation. 120: 33-5. Ja. 14, '25. In defense of science. Charles Pratt.
Nation. 121: 250-1. S. 2, '25. Behind this prohibition. Leonard Cline.

Nation. 121:372. O. 7, '25. The failure of prohibition.
Nation. 122:384. Ap. 14, '26. Wet or dry?
New Republic. 46:131-2. Mr. 24, '26. Prohibition under fire. editorial.
New Republic. 46:261-3. Ap. 21, '26. Progressivism and prohibition.
New Republic. 46:316-18. My. 5, '26. The political effects of prohibition.
New Republic. 46:401-3. My. 19, '26. Why the Volstead act fails. Donn Thomas.
New Republic. 47:101-2. Je. 16, '26. Nullification by consent.
New Republic. 47:326-8. Ag. 11, '26. Prohibition: the failure of enforcement. Donn Thomas.
New Republic. 48:232-4. O. 20, '26. Irrepressible prohibition.
North American Review. 219:145-59. F. '24. The prohibition tangle. John Erskine.
†North American Review. 221:590-640. Je. '25. Five years of prohibition and its results.
p. 591-6. Have we prohibition or only prohibition laws? William H. Stayton.
p. 596-601. Prohibition and respect for law. Henry S. Priest.
p. 601-7. The effect of prohibition upon crime. George G. Battle.
p. 608-11. Prohibition against human nature. Henry B. Joy.
p. 611-15. The workingman's view of prohibition. James P. Holland.
p. 615-20. Nervous and mental diseases and the Volstead law. Charles L. Dana.
p. 621-5. The enforcement of prohibition. Oscar T. Crosby.
p. 625-31. The paradise of the ostrich. Samuel H. Church.
p. 631-4. States and statistics. Lawson Purdy.
p. 635-40. A state's rights remedy for Volsteadism. John P. Hill.
Overland. n.s. 82:484, 508-9. N. '24. Bonded or bootleg. B. Virginia Lee.
Saturday Evening Post. 198:24-5, 206-13. O. 24, '25. The great American scandal: laws to make lawbreaking. Richard W. Child.

Success Magazine. 11:14-16, 105. Ja. '27. What I think of national prohibition: an interview with Theodore Roosevelt, Jr. Schuyler Patterson.

Survey. 52:112. Ap. 15, '24. Hospital patients and alcoholism. Margaret D. Jackson.

Yale Review. n.s. 16:205-8. O. '26. Of the eighteenth amendment. Robert Withington.

Organizations Advocating Modification or Repeal of Prohibition

A double asterisk (**) indicates the ones from whom pamphlets or other information may be obtained.

**Association Against the Prohibition Amendment, 1523 L St. N.W., Wash., D.C. William H. Stayton, national chairman. G. C. Hinckley, national secretary and treasurer.

Constitutional Liberty League of Massachusetts, 75 Ames Bldg., Boston, Mass.

**Moderation League, 385 Madison Ave., N.Y. Thomas W. Therkildsen, executive secretary.

**United States Brewers' Association, 50 Union Square, N.Y. Hugh F. Fox, secretary.

Periodicals Advocating Modification or Repeal of Prohibition

American Rights. (semi-monthly) Karma Pub. Co., 47 West 42d St., N.Y. Albert S. Dulin, editor.

California Minute Man. (monthly) California Division, Association Against the Prohibition Amendment, Balboa Bldg., 593 Market St., San Francisco, Cal. William H. Stayton, editor.

Face the Facts. (weekly) Joint Legislative Committee for Modification of the Volstead Act, 708 Lennox Bldg., 1523 L St. N.W., Wash. D.C.

Minute Man. (monthly) Minute Man Pub. Co., 30 Park Place, Newark, N.J. William L. Fish, editor.

†Periscope. (monthly) United States Brewers' Association, 50 Union Square, N.Y. Hugh F. Fox, editor.

Negative References

(*Opposing Modification or Repeal of the Volstead Law.*)

Books and Pamphlets

†Babson, Roger W. Business and prohibition. 8p. American Issue Press. Westerville, O. '26.

Best, Nolan R. Yes, it's the law and it's a good law. 91p. Doran. N.Y. '26.

†Booth, Evangeline. The best witness testifies. 8p. World League Against Alcoholism. N.Y. '26.

Cassidy, James E. Prohibition a great success. 10p. American Issue Pub. Co. Westerville, O. '26.

Cherrington, Ernest H. American prohibition. 21p. World League Against Alcoholism. N.Y. '26.

Cherrington, Ernest H. A superficial survey of the results of prohibition in the United States of America. 7p. American Issue Pub. Co. Westerville, O. '26.

Cherrington, Ernest H. A world prohibition crisis. 6p. American Issue Pub. Co. Westerville, O. '26.

†Eliot, Charles W. A late harvest. Atlantic Monthly Press. Boston. '24.
p. 261-7. Prohibition.

Federal council of churches unshaken in its stand for American prohibition. 4p. American Issue Press. Westerville, O. '26.

Fisher, Irving. Prohibition at its worst. Macmillan. N.Y. '26.

Manning, William T. The question of prohibition. 14p. '26.

Paxton, William. The truth about prohibition. Paul and Matthews. Dundee, Scotland. '25.

†Pickett, Deets. Alcohol and the new age. Methodist Book Concern. Balt. '26.

Plewman, W. R. Canada's experiments in liquor control. 10p. World League Against Alcoholism. N.Y. '26.

Quebec liquor control system proves failure. 78p. Christian Science Pub. Soc. Boston. '26.

Richardson, E. J. A message from an American overseas to the churches and people of the United States on the prohibition question. 15p. World League Against Alcoholism. N.Y. '26.

Sargent, John G. Enforcement of the prohibition law: address before Woman's committee on law enforcement, Ap. 13, '26. 14p. American Issue Press. Westerville, O. '26.

Stoddard, Cora F. More Massachusetts records. 32p. American Issue Pub. Co. Westerville, O. '25.

Stoddard, Cora F. Prohibition and youth. 15p. Scientific Temperance Federation. Boston. '26.

Stoddard, Cora F. Science and human life in the alcohol problem. 80p. American Issue Pub. Co. Westerville, O. '25.

Stoddard, Cora F. State experience with exempting beer from prohibition. 8p. American Issue Pub. Co. Westerville, O. '26.

Sullivan, Mark. Law breaking before and since prohibition. 12p. American Issue Press. Westerville, O. '26.

†Warner, Harry S. Why prohibition? Will it work? A syllabus to promote all around discussion. 62p. Intercollegiate Prohibition Association. Wash. D.C. '25.

The century prohibition climb. 8p. American Issue Pub. Co. Westerville, O. '26.

The fallacy of the proposed referendum. 10p. American Issue Press. Westerville, O. '26.

Slanders against prohibitionists refuted. 32p. Manufacturers' Record. Balt. '25.

Why prohibition is succeeding. 16p. Christian Science Pub. Soc. Boston. '26.

Periodicals

Century. 111:327-35. Ja. '26. A chair in alcohol. Dallas L. Sharp.

Century. 112:344-7. Jl. '26. The wets and the west. George F. Milton.

Christian Century. 42:1204-5. O. 1, '25. The Federal council on prohibition.

Christian Century. 42:1419. N. 12, '25. Federal council reaffirms dry stand.

Christian Century. 43:503-5. Ap. 22, '26. The wets state their case.

Christian Century. 43:543-5. Ap. 29, '26. The prohibition hearing.

†Christian Century. 43:548-52. Ap. 29, '26. Where prohibition has been modified: has Canada solved the liquor problem? A. E. Cooke.

Collier's Weekly. 78:8, 36. Jl. 31, '26. We're going to stay dry. James Cannon, Jr.

†Congressional Record. 67:7438-44. Ap. 14, '26. The liquor problem. William E. Borah.

Current History. 22:687-95, 705-6. Ag. '25. Is prohibition a success after five years? Wayne B. Wheeler.

†Current History. 24:157-60. My. '26. A success. Wayne B. Wheeler.

†Current History. 25:1-5. O. '26. Are the wets hypocrites in their plea for state rights? Wayne B. Wheeler.

Current History. 25:322-6. D. '26. The Canadian system a failure. Deets Pickett.

Federal Council Bulletin. My. '26. p. 11-12. Council voices united church support of prohibition.

Forum. 74:902-11. D. '25. Mirages seen by the thirsty. Grant M. Hudson.

*Good Health. 61:32-4. My '26. Pulpit piffle. editorial.

*Good Housekeeping. 82:28-9., 148-62. Ap. '26. The propaganda against prohibition. Allen L. Benson.

Harper's Monthly. 153:773-8. N. '26. Liquor and the schools. A. E. Stearns.

Harvard Graduates Magazine. 33:233-41. D. '24. In defence of prohibition. Kenneth D. Magruder.

†Harvard Graduates Magazine. 33:393-7. Mr. '25. Prohibition and experimental research: bright hopes for mankind. Charles W. Eliot.

Journal of Applied Sociology. 8:156-9. Ja. '24. Is prohibition a failure? Frank W. Blackmar.

Ladies Home Journal. 43:34. S. '26. In the hallowed name of booze. Barton W. Currie.

†Literary Digest. 84:31-2. Ja. 24, '25. Prohibition decreasing crime.

Literary Digest. 85:8-9. My. 16, '25. What Indiana thinks of its bone dry law.

Literary Digest. 85:33. My. 23, '25. Prohibition helping missions.

Literary Digest. 86:24. Jl. 4, '25. The decreasing menace of alcohol.

Literary Digest. 86:31-2. Ag. 15, '25. A Scotch view of prohibition.

Literary Digest. 86:12. Ag. 29, '25. Do employers still believe in prohibition.

Literary Digest. 88:28-9. Mr. 13, '26. Wet England aiding dry America.

*Literary Digest. 88:31-2. Mr. 20, '26. Prohibition ending wife-beating.

Literary Digest. 89:7-9. My. 1, '26. Now the drys state their side of the case.

Literary Digest. 90:30-1, 45-73. Jl. 10, '26. College-student drinking since prohibition.

Manufacturers' Record. 87:51-2. Ja. 22, '25. A sure way to break up bootlegging.

Manufacturers' Record. 87:65-6. Ap. 16, '25. So the abolition of the saloon degrades American youth, does it?

Manufacturers' Record. 87:68. Ap. 30, '25. A sure way to destroy bootlegging.

Manufacturers' Record. 88:80-3. Jl. 2, '25. How to destroy the bootleg industry.

Manufacturers' Record. 88:60. Jl. 23, '25. Views of an army officer and others as to how to destroy the bootleg industry.

†Manufacturers' Record. 88:60-79. Jl. 30, '25. Prohibition has justified itself.

Manufacturers' Record. 88:81-2. Ag. 6, '25. Prohibition has justified itself.

Manufacturers' Record. 88:64-5. S. 17, '25. The buyer of illicit liquor is also guilty.

Manufacturers' Record. 88:67-8. S. 17, '25. Prohibition has justified itself.

Manufacturers' Record. 88:1. S. 24, '25. The prohibition report of the misnamed Federal council of the churches of Christ in America.

Manufacturers' Record. 88:54. S. 24, '25. The Federated church prohibition report.

Manufacturers' Record. 88:80. O. 1, '25. Time for the prohibitionists to wake up.

Manufacturers' Record. 88:93-4. O. 1, '25. Has more respect for the Brewers' association than for Federal council of the churches of Christ in America.

Manufacturers' Record. 88:83-9. N. 5, '25. Slanders against prohibitionists refuted.

Manufacturers' Record. 88:73-4. N. 26, '25. Editorial reply to Mr. May.

Manufacturers' Record. 88:58. D. 24, '25. Atlanta judges, lawyers, and business men on prohibition.

Manufacturers' Record. 89:54-5. Ja. 14, '26. Our reply.

Manufacturers' Record. 89:85-8. F. 18, '26. Personal liberty to violate law. Henry M. Leland.

Manufacturers' Record. 89:73-4. Mr. 25, '26. Many Catholic laymen and priests making a strong fight for prohibition. P. H. Conroy.

Manufacturers' Record. 89:62. Ap. 8, '26. Intoxicants by any other name are just as potent.

†Manufacturers' Record. 89:66. Ap. 8, '26. One way in which bootlegging could absolutely be destroyed.

Manufacturers' Record. 89:58-9. Ap. 15, '26. Prohibition can be enforced whenever the administration determines that it shall be enforced.

†Manufacturers' Record. 89:68-73. Ap. 29, '26. Views of men of affairs on prohibition.

Manufacturers' Record. 89:100. My. 6, '26. Prohibition as regarded by the Mormon church.

Manufacturers' Record. 89:57. My. 13, '26. Virginia's church forces are for prohibition.

†Manufacturers' Record. 89:69-71. My. 20, '26. Senator Bruce's egregious errors show how little he knows about matters discussed.

Manufacturers' Record. 89:79-80. Je. 3, '26. Any referendum on any phase of the American Constitution would lead to mobocracy and ruin.

Manufacturers' Record. 89:84. Je. 3, '26. Carnegie institute repudiates statements of Samuel H. Church.

Manufacturers' Record. 89:57-8. Je. 10, '26. Can Great Britain economically handicapped, compete with America?

†Manufacturers' Record. 90:73-87. O. 14, '26. Increased industrial efficiency and the causes discussed by leading manufacturers.

*Manufacturers' Record. 90:89-92. N. 11, '26. Economic phases of prohibition. Leroy S. Upton.

Nation. 120:35-7. Ja. 14, '25. The effect of alcohol on man. Eugene L. Fisk.

New Republic. 42:292. My. 6, '25. Poor prohibition. Ruth George.

North American Review. 219:621-30. My. '24. The prohibition tangle: a reply. Albert Levitt.

†North American Review. 222: 29-78. S. '25. Five years of prohibition and its results.

p. 29-35. Is there prohibition? Wayne B. Wheeler.
p. 35-40. Prohibition and respect for law. James J. Britt.
p. 40-4. Prohibition and crime. Richard J. Hopkins.
p. 45-8. Prohibition as seen by a business man. Richard H. Scott.
p. 49-53. Prohibition from the workingman's standpoint. John G. Cooper.
p. 53-7. Prohibition and the medical fraternity. Howard A. Kelly.
p. 57-60. Prohibition and law enforcement. Gifford Pinchot.
p. 61-5. A moral and ethical argument for prohibition.
p. 65-9. Prohibition and the younger generation. Cornelia J. Cannon.
p. 69-73. Prohibition and prosperity. Thomas N. Carver.
p. 73-8. The situation we are in and the way out. Horace D. Taft.

†Ohio Law Bulletin and Reporter. 25: 177-208. F. 7, '27. Prohibition, nullification, and lawlessness. William G. McAdoo.

Outlook. 137: 51-2. My. 14, '24. Dr. Butler and prohibition.

Outlook. 138: 581. D. 10, '24. For prohibition that prohibits.

Outlook. 140: 578-9. Ag. 26, '25. The sentiment for prohibition.

Outlook. 142: 131-2. Ja. 27, '26. Why prohibition?

Outlook. 142: 165-7. F. 3, '26. Have we a new John Marshall? Lawrence F. Abbott.

†Outlook. 142: 279. F. 24, '26. A prohibition catechism.

†Outlook. 142: 515. Ap. 7, '26. A question not asked.

Outlook. 143: 18. My. 5, '26. The American people vs. the alien bootlegger. Imogen B. Oakley.

†Outlook. 143: 98-100. My. 19, '26. Canada's experiments in liquor control. W. R. Plewman.

Review of Reviews. 71: 354. Ap. '25. Economic benefits of prohibition.

Review of Reviews. 72: 419-20. O. '25. Prohibition in America. Gifford Gordon.

Saturday Evening Post. 198:38, 52, 54, 56. Ja. 16, '26. Sober workingmen. James Stevens.

Saturday Review of Literature. 3:312. N. 20, '26. Alcohol and mortality: a review of Raymond Pearl's book, Alcohol and longevity. Eugene L. Fisk.

South Atlantic Quarterly. 25:1-12. Ja. '26. Anti-prohibition hallucinations. Albert Levitt.

Survey. 51:72. O. 15, '23. A tip to commissioners. Haven Emerson.

Survey. 56:229-32, 280-1. My. 15, '26. The prohibition hearings: when will social work take the stand? Haven Emerson.

*Worth While. 12:5-6, 22-5. O. '26. Nullification or preservation? William G. McAdoo.

ORGANIZATIONS OPPOSING MODIFICATION OR REPEAL OF PROHIBITION

A double asterisk (**) indicates the ones from whom pamphlets or other information may be obtained.

**Anti-Saloon League of America. Ernest H. Cherrington, general manager Department of Publishing Interests, Westerville, Ohio; Wayne B. Wheeler, general counsel and legislative superintendent, 30 Bliss Bldg., Wash., D.C.

**Board of Temperance, Prohibition, and Public Morals of the Methodist Episcopal Church, 100 Maryland Av. N.E., Wash., D.C. Clarence True Wilson, general secretary.

Citizens' Law Enforcement Committee of One Thousand, 66 Fifth Av., N.Y.

Flying Squadron Foundation. Oliver W. Stewart, president, 550 Century Bldg., Indianapolis, Ind.; Edwin C. Dinwiddie, legislative superintendent, 644 Transportation Bldg., Wash., D.C.

**Intercollegiate Prohibition Association, 122 Maryland Ave., N.E., Wash., D.C. R. H. Rolofson, executive secretary.

**International Reform Federation (consolidating the International Reform Bureau, the Prohibition Foundation and the American Branch of the World Prohibition Federation), 206 Pennsylvania Av. S.E., Wash., D.C. William Sheafe Chase, superintendent.

**Scientific Temperance Federation, 400 Boylston St., Boston, Mass. Cora Frances Stoddard, executive secretary.

**World League Against Alcoholism, Westerville, O. and 150 Fifth Av., N.Y.

Periodicals Opposing Modification or Repeal of Prohibition.

†American Issue. (bi-weekly) Anti-Saloon League, Westerville, O. Ernest H. Cherrington, editor.

†International Student. (monthly, October to May) Intercollegiate Prohibition Association, 122 Maryland Av. N.E., Wash., D.C. Harry S. Warner, editor.

National Advocate. (monthly, September to June) National Temperance Society, 289 Fourth Av., N.Y. Charles Scanlon, editor.

National Enquirer. (weekly) Flying Squadron Foundation, 550 Century Bldg., Indianapolis, Ind. Oliver W. Stewart, editor.

†Scientific Temperance Journal. (quarterly) Scientific Temperence Federation, 400 Boylston St., Boston, Mass. Cora Frances Stoddard, editor.

Twentieth Century Progress. (bi-monthly) International Reform Federation, 206 Pennsylvania Av. S.E., Wash., D.C. J. Raymond Schmidt, editor.

Water Lily. (monthly) National Temperance Society, 289 Fourth Av., N.Y. Annie E. Oldrey, editor.

Water Wagon. (quarterly) Dry Maintenance League of Cuyahoga County, 990 The Arcade, Cleveland, O. Geo. C. Southwell, editor.

Youth's Temperance Banner. (monthly) National Temperance Society, 289 Fourth Av., N.Y. Annie E. Oldrey, editor.

GENERAL DISCUSSION

LIQUOR INTERESTS AND BREWERIES CONTINUE FINANCING ASSOCIATION AGAINST THE PROHIBITION AMENDMENT[1]

As chairman of the Committee on Alcoholic Liquor Traffic my attention is constantly called to various conditions concerning the enforcement and the success of the eighteenth amendment. There also is brought to our notice the work of those interests and organizations that have for their object the nullification or repeal of the prohibition amendment. It is very clear from the data and information thus presented and from the reports filed with the Clerk of the House that the antiprohibitionists, having failed in every attempt to modify or repeal the national prohibition act through Congress, massed their strength and money as at no time since the adoption of the eighteenth amendment in the last congressional primary and election. Believing that much of this is of general interest and concern to the members of Congress and the people of the nation, I want to-day to lay before you some of the most important matters, which I believe of grave import.

From the reports filed and from other evidence it is clear that the wets raised and expended very large sums at the recent election to nullify the Constitution through modification or repeal of the laws to enforce it. The brewers and liquor interests generally have shared in financing this fight. Reports filed with the Clerk of the House of Representatives by the Association Against the

[1] By Grant M. Hudson. *Congressional Record.* 68:690-6. (Current file). December 17, 1926.

Prohibition Amendment, which is only 1 of the 25 or 30 organizations fighting prohibition, show receipts of considerable sums from brewers or others interested in the return of the legalized liquor traffic. The same reports also show the gifts of money to that organization by corporations, in spite of the provisions of the federal law forbidding such contributions for political purposes.

The Association Against the Prohibition Amendment formerly denied that it accepted gifts from those interested in the liquor traffic. In the hearings on the 2.75 per cent beer bills, before the House Judiciary Committee, Mr. Stayton testified that he did not receive money from brewers but returned such checks as they sent to him. (See page 176 of hearings on 2.75 per cent beer.) At that same hearing the Anti-Saloon League presented evidence showing that brewers, malt dealers, and the like, were raising funds for the Association Against the Prohibition Amendment, and that one malsters' association assessed its members a tax in favor of the association Against the Prohibition Amendment. (See page 323 of hearings on 2.75 per cent beer.)

The wet organization now admits that the brewers are contributing to finance the fight against the eighteenth amendment. Some of the contributions from brewers and others interested in the revival of the liquor traffic are as follows, as listed in the Association Against the Prohibition Amendment report to the Clerk of the House of Representatives:

Liquor Groups Contributing to the Association Against Prohibition Amendment

Report 108, office of W. H. Stayton, 606 Lexington Building, Baltimore, Md.:

Oct. 2, 1925, Pennsylvania Central Brewing Co., 431 North Seventh Avenue, Scranton, Pa.....	$100
Oct. 23, 1925, V. Loewer's Gambrinus Brewery Co., 528 W. Forty-second St., New York City.....	100
Oct. 25, 1925, Garden City Brewery	100
Oct. 28, 1925, Piel Bros., New York City	100

Report 109, north California division, Balboa Building, San Francisco, Calif.:

Sept. 7, 1925, Buffalo Brewing Co., Sacramento, Calif..	100
Oct. 7, 1925, Buffalo Brewing Co., Sacramento, Calif...	100
Oct. 7, 1925, Buffalo Brewing Co., Sacramento, Calif...	100
Nov. 6, 1925, Buffalo Brewing Co., Box 610, Sacramento, Calif.	100
Dec. 7, 1925, Buffalo Brewing Co., Sacramento, Calif...	100

Report 127, Association Against Prohibition Amendment, Missouri branch, St. Louis, Mo., 417 Security Building, Feb. 24, 1926, August A. Busch, jr., Ninth and Pestalozzi Street 10

Report 144, Association Against Prohibition Amendment, California division, San Francisco:

Mar. 5, 1926, Buffalo Brewing Co., Sacramento, Calif...	200
May 8, 1926, Buffalo Brewing Co., Sacramento, Calif.	100

Report 87, Pennsylvania division, Association Against Prohibition Amendment, Aug. 24, 1925, Francis Perot & Sons Malting Co., Philadelphia, Pa. 250

Report 96, Association Against Prohibition Amendment, 1523 L Street NW., Washington, D.C.:

Feb. 1, 1926, Peter Doelger Co., New York City.....	100
Feb. 18, 1926, Peter Doelger Co., New York City.....	100
Feb. 6, 1926, Superior Beverage Co., 205 Locust Street, Lancaster, Pa.	100
Feb. 20, 1926, Pennsylvania Central Brewing Co., Scranton, Pa.	100

Report 232, Association Against Prohibition Amendment, Michigan division, Detroit, Mich., 1828 Penobscot Building:

Aug. 24, 1926, Julius Stroh, Stroh Products	200
Sept. 11, 1926, Julius Stroh, Stroh Products	100

Report 231, Association Against Prohibition Amendment, North California Branch:

June 9, 1926, Buffalo Brewing Co., Sacramento, Calif...	100
July 10, 1926, Buffalo Brewing Co., Sacramento, Calif.	100
Aug. 7, 1926, Buffalo Brewing Co., Sacramento, Calif..	100

Report 66, Association Against Prohibition Amendment, 1523 L Street NW., Washington, D.C.:

August, 1926, Anheuser-Busch (Inc.), St. Louis, Mo...	250
August, 1926, V. Loewer's Gambrinus Brewery Co., 528 West Forty-second Street, New York City.....	200
August, 1926, Anheuser-Busch (Inc.), St. Louis, Mo..	250

August, 1926, Piel Bros. (Inc.), Brooklyn, N.Y..... 1,100
August, 1926, Fred Pabst, 917 Chestnut Street, Milwaukee, Wis. 1,000
August, 1926, Peter Doelger Brewing Co., Brooklyn, N.Y. 500
August, 1926, Queeno Brewing Co., Cumberland, Md... 100
August, 1926, Hugh Fox, 50 Union Square, New York City, secretary United States Brewers' Association.. 500
August, 1926, Jacob Ruppert, 1639 Third Avenue, New York City 100
Oct. 16, 1926, William Hamm, Minnehaha and Greenbrier Avenues, St. Paul, Minn. 400
Oct. 16, 1926, Flock's Brewing Co., Williamsport, Pa.. 100
Oct. 16, 1926, John A. Trainer, 1436 Catherine Street, Philadelphia, Pa. 100
Oct. 16, 1926, Louis F. Newweiler's Sons, brewers and bottlers, Allentown, Pa. 500

Report 62, Volunteer Citizens Committee, 1202 Liberty Building, Philadelphia, Pa., Apr. 27, 1925, George J. Meyer Malt & Grain Co., 1314 Niagara Street, Buffalo.. 100

Report 143, Association Against Prohibition Amendment:
Mar. 8, 1926, Erie Brewing Co., Erie, Pa..... 100
Apr. 26, 1926, Pennsylvania Central Brewing Co. (Peter J. Noll), 431 North Seventh Street, Scranton, Pa. 100
May 22, 1926, The Joseph Hensler Brewing Co., 73 Wilson Avenue, Newark, N.J. 250
May 4, 1926, Hugh Murray, Lion Brewery, 7 One hundred and eighth Street, New York 1,000
May 11, 1926, The F. & M. Schaeffer Brewing Co., 2 South Ninth Street, Brooklyn 200

Corporations Contribute

The Association Against the Prohibition Amendment filed its report as a wet political committee. The federal statute, section 313, prohibits a corporation from contributing to a political committee. Here are a few of the names of corporations reported by the Association Against the Prohibition Amendment as contributing to this political committee and its subsidiary branches in adddition to others previously mentioned:

Report 108, Association Against the Prohibition Amendment, office of William H. Stayton, 606 Lexington Building, Baltimore, Md., Dec. 19, 1925, Trommers (Inc.), Brooklyn, N. Y. $100

Report, 198, Association Against the Prohibition Amendment, Washington, D.C.:
- Trommers (Inc.) (reported Aug. 31, 1926), Bushwick Avenue and Conway Street, Brooklyn, N.Y..... 100
- Waldorf-Astoria (Inc.) (reported Aug. 31, 1926), New York City 100

Report 130, Association Against the Prohibition Amendment, Washington, D.C., Jan. 30, 1926, Trommers (Inc.), Brooklyn, N.Y. 100

Report 145, southern California division Association Against the Prohibition Amendment, 528 Merchants National Bank Building, Los Angeles, March, 1926, Ambassador Hotel Corporation, Wilshire Building, Los Angeles 250

Report 143, Association Against the Prohibition Amendment, division A.:
- Mar. 16, John F. Trommer (Inc.), Bushwick Avenue and Conway Street, Brooklyn, N.Y. 100
- Apr. 12, John F. Trommer (Inc.), Bushwick Avenue and Conway Street, Brooklyn, N.Y. 100
- May 13, John F. Trommer (Inc.), Bushwick Avenue and Conway Street, Brooklyn, N.Y. 100
- March, 1926, George Trommer, Bushwick Avenue and Conway Street, Brooklyn, N.Y. 100

Mr. Stayton, founder of the Association Against the Prohibition Amendment, testified in the Senate investigation hearings that his organization was incorporated in the District of Columbia as an educational institution. The copy of the certificate of incorporation presented by him declares that the organizers associated themselves in the Association Against the Prohibition Amendment "for educational purposes and mutual improvement." (See p. 125 of hearings.) The federal law requires that organizations of this kind or any organization that participates in the election or defeat of congressmen, or that spends money for political purposes as set forth in the federal statutes, must appoint a political committee and account for the money raised and spent in such congressional elections. Mr. Stayton admitted in his testimony before the Senate investigating committee that his association had not filed any such reports until March, 1925,

and then not through a campaign committee. The federal corrupt practices act requires the filing of such reports.

If the Association Against the Prohibition Amendment is an educational organization, as its certificate of incorporation asserts and as Captain Stayton testified (pp. 1749-1485), then it is violating not only its articles of incorporation by operating solely as a political organization, but it is also violating the federal corrupt practices act, because it must raise and spend its campaign fund through a campaign committee. If it is a political committee, as its report indicates, then the brewers and other corporations that contributed to it as a political committee are violating the law, and the Association Against the Prohibition Amendment has also violated the law in receiving such contributions. The section of the revised statute reads as follows:

> It is unlawful for any national bank, or any corporation organized by authority of any law of Congress, to make a contribution in connection with any election to any political office, or for any corporation whatever to make a contribution in connection with any election at which presidential and vice presidential electors or a senator or representative in, or a delegate or resident commissioners to, Congress are to be voted for, or for any candidate, political committee, or other person to accept or receive any contribution prohibited in violation of this section shall be fined not more than $5,000; and every officer or director of any corporation who consents to any contribution by the corporation in violation of this section shall be fined not more than $1,000, or imprisoned not more than one year, or both.

Gifts Direct to Party Committees

In his testimony before the senatorial investigating committee, as reported on page 1249 of the committee's report of the Senate hearings on senatorial primaries, Mr. Stayton, replying to the query whether his organization had made contributions to the Vare or Pepper campaign or that of any other candidate in Pennsylvania, said:

Or in any other state at any time since our organization. We have never contributed a cent of money to a political party or to any politician.

On page 1 of report No. 203, reporting expenditures of the Association Against the Prohibition Amendment (Inc.), Allen County division, Fort Wayne, Ind., the following expenditures to county Democratic committees are listed:

July 18, Allen County Democratic Central Committee, Fort Wayne, Ind.	$400
Aug. 21, Noble County Democratic Central Committee, Albion, Ind.	100
Aug. 21, Whitley County Democratic Central Committee, Columbia City, Ind.	100

On page 2 of the same report the following appear as further expenditures:

Aug. 21, DeKalk County Democratic Central Committee, Auburn, Ind.	$100
Sept. 21, Steuben County Democratic Central Committee, Angola, Ind.	150
Sept. 21, Lagrange County Democratic Central Committee, Lagrange, Ind.	50
Oct. 20, Noble County Democratic Central Committee, Albion, Ind.	100
Oct. 20, DeKalb County Democratic Central Committee, Auburn, Ind.	100
Oct. 20, Whitley County Democratic Central Committee, Columbia City, Ind.	50

The Association Against the Prohibition Amendment also contributed $27,661 to the Democratic State Committee of Massachusetts, according to the report of that committee filed at Boston, in accord with the Massachusetts corrupt practices act. Of that sum $19,500 was given on October 30 and $8,161 on November 1. By making these contributions on those dates the Association Against the Prohibition Amendment was not compelled to include them in any report filed with the Clerk of the House of Representatives, except the final report, due January 1, 1927. Therefore these gifts directly to a political party escaped publicity and were not generally known when the election was held.

The wets planned their financial campaign for this election long in advance. In their letter sent out to prospects in March, 1925, they announced their intention to raise funds, setting $1,500 as the amount needed in a congressional district fight. They claimed that they were going to enter 200 such districts to replace dry congressmen with wets.

The final report of the Association Against the Prohibition Amendment may show additional details of such contributions or expenditures. That report has not yet been filed but must be filed, under the law, before January 1, 1927.

1926 Congressional Campaign

Long before the congressional primaries of 1926 the opponents of prohibition began to fill their campaign war chests. One wet organization out of the score and more in this fight declared it would raise $300,000, or $1,500 to expend in each of 200 congressional districts to replace congressmen who were opposed to repeal or modification of the law by advocates of the wet plan, legalizing beer and wine, then repeal State enforcement codes, and finally the repeal of the eighteenth amendment.

In his testimony before the senatorial investigating committee (see p. 1487 of hearings) Mr. Stayton testified:

> Our ordinary expenses have been $300,000, but that does not include campaigns. This year we are hoping and seeking to get about $300,000 for use in connection with the election this year, as necessities arise, in cases in states where referendums are to be held and where congressmen are to be elected. We are seeking $300,000 in connection with this year's election.

Continuing that testimony, under cross-examination by Senator Goff, he elaborated this (see p. 1495 of hearings). Senator Goff asked:

> Senator Goff. Do you ever go out aggressively and try to defeat candidates for Congress?
>
> Mr. Stayton. Well, we do try to defeat dry candidates for Congress; yes, sir.

Senator GOFF. And you make an aggressive fight along those lines, do you not?

Mr. STAYTON. I am only hesitating about the meaning of the word "aggressive." We generally do this. We carry on an educational campaign.

Senator GOFF. I have in my hand a letter signed by the national secretary, Mr. G. C. Hinckley, from the office of the national secretary, dated March 16, 1925, in which it is stated, among other things:

"It costs us, on the average, $1,500 to organize in a congressional district effectively enough to win a Congressman there.

"Will you be one of three $500 contributors to take care of one district?

"Or will you be one of fifteen $100 contributors?

"We are going to win anyway, but we can win more quickly and more decisively with your help."

Does your association or organization send out such a letter as that?

The reports thus far filed by the Association Against the Prohibition Amendment show that over $275,000 was raised by that organization since the 1st of January, 1926, but does not indicate the purpose for which it was spent. The practice established by the brewers, of entering personal names or charging "advertising" or the like with political expenditures, seems to have suggested the form adopted by the Association Against the Prohibition Amendment report. After the names of individuals, given in that report, there apepar the words "salary," "commission," "rent," and the like. The political purpose involved does not appear.

PENNSYLVANIA EXPENDITURES

The large amounts of wet money contributed to nominate and elect a senator from Pennsylvania included large gifts from those directly or indirectly connected with or interested in the liquor business. Thomas Watson, who contributed $25,000 to this fund, was in the wholesale liquor business before prohibition. Robert D. Noonan, who gave $500, was a former saloon keeper in Philadelphia. Some of the others of the large contributors were the following:

Joseph Trainer, who gave $8,000, is secretary and treasurer of Dougherty Distillery Warehouse Co., 1101 North Front Street, Philadelphia, Pa. This warehouse holds the federal privilege to store, bottle, and sell at wholesale most all of the whisky in eastern Pennsylvania. He also is owner of Trainer & Co., South Second and Catherine Streets, Philadelphia, who have a large federal permit to withdraw whisky and wines with which to make "bitters." He is also reported as principal owner of Premier Brewery, Philadelphia, which was recently seized by the city police. Joseph Trainer is a brother of Henry Trainer, who is a large dealer in specially and completely denatured alcohol. Henry Trainer obtained permits for Swanson Chemical Co., a denaturing plant, and for the Quaker Industrial Co., a distillery, both of Philadelphia.

Harry Publicker, donor of $750, is practically sole owner of the Publicker Commercial Alcohol Co., Water and Snyder Avenues, Philadelphia, and of the Publicker Commercial Alcohol Co. of Delaware, Pier 103 South Wharves, Philadelphia, Pa. He has a brother, Philip Publicker, who is principal owner of the Berg Distilling Co., Philadelphia. Between the two of them they own the three largest alcohol plants in Pennsylvania. It is reported that the two Publickers arrived here some 22 years ago as practically penniless Russian immigrants, and that their wealth is now about $60,000,000.

Otto Schaffhauser, who gave $1,000, is president of the Arnholt & Schaefer Brewing Co., Thirty-first and Thompson Streets, Philadelphia, Pa. This brewery was recently seized by the city police for shipping real beer. It has previously been in trouble with the federal authorities.

J. Binnenstock, contributor of $500, is in the bakery business. He formerly held a wholesale-liquor dealer's permit, and considerable goods were seized from him. He is or was connected with the Atlantic Brewing Co.

Six contributors from Schuylkill County, as follows:

Daniel Pfiel, $10,000; Robert Jenkins, Patrick Higgins, P. J. Doyle, Philip Ehrig, and James Tobin, $5,000 each, have been more or less directly interested in the liquor business. Pfiel & Higgins are or were connected with the Hettig Brewing Co.

Mr. Stayton, of the Association Against the Prohibition Amendment, testified (pp. 1242, 1243 of Senate investigation hearings) that his organization had spent $3,500 in the Pennsylvania primary fight and that the national organization received all the contributions for the Pennsylvania branch and made all the expenditures. That testimony was given on June 30, 1926. The report of the Pennsylvania division, Association Against the Prohibition Amendment (Inc.), filed with the Clerk of the House of Representatives, shows that in the months of April and May alone this branch had received $7,897.73 and expended $7,872.26, or more than double the amount admitted by Mr. Stayton, even omitting the receipts and expenditures for the month of June, on the last day of which his testimony was given. For that month the receipts of the Pennsylvania branch were $5,840.50 and the expenditures $5,259.11, or much larger sums for this single month than the total amount named by Mr. Stayton. The grand total of the receipts of the Pennsylvania division of the Association Against the Prohibition Amendment up to and including August 31, according to the statement filed with the Clerk of the House of Representatives, was $19,959.98. The expenditures for that period were $19,951.13.

The Association Against the Prohibition Amendment also worked through organizations with other names, as Mr. Stayton testified. (See p. 1247 of Senate investigation hearings.) Among these "voluntary committees" was voluntary committee No. 1 of the Association Against the Prohibition Amendment (Inc.), which has filed its report with the Clerk of the House of Representatives. This report shows that this subsidiary of the

Association Against the Prohibition Amendment had received $7,476.36 and expended $7,455.13 up to June 1. It was during this month that Mr. Stayton testified that his organization's expenditures in Pennsylvania were about $3,500, and that the national offices received and expended the money for Pennsylvania. Up to September 3 this voluntary committee received $5,292. The only expenditures it reported up to September 3 totaled $2,868.

The Voluntary Citizens Committee reports receipts of $7,387.37 and expenditures of $6,626.84 up to June 1, leaving a balance of $760.53, which brought the June receipts up to $1,238.39, with June expenses of $828.29. The name of Charles S. Wood appears in this report as having received $200 and repaid $197.

Charles S. Wood, in his testimony before the senatorial campaign committee on July 1, testified (p. 1271) in reply to the query whether he had anything to do with the collection of money, aside from certain collections in Pennsylvania: "No; except that I have assisted sometimes in forming committees of our members that undertook to raise funds for it." He also testified (p. 1275) when asked if there was any other office besides his own in Pennsylvania connected with his organization that received any money:

> Only such as that of the Pennsylvania Committee for Modification of the Volstead Act.

The Ralph Beaver Strasburger Modification League, a purely wet organization, filed a separate account showing $16,606 spent. Mr. Greenfield, who is said to be a member of the modification league, reported that he had raised or given approximately $100,000 to the campaign fund.

Contributions like the above are only a few out of the many made by friends or advocates of the outlawed liquor interests in the recent campaign.

ALCOHOL—A DISCREDITED DRUG[2]

Fifty years ago scarcely a scientist of standing could be found who was willing to undertake the defense of total abstinence on scientific grounds. Medical men believed and taught that alcohol was a food, a stimulant, a remedy of the highest value; that it was indispensable in the treatment of collapse, surgical shock, in blood poisoning, in pneumonia, in tuberculosis or consumption, in weakness from whatever cause, as a preventive in exposure to contagion, in protection from fevers, in heart weakness from hemorrhage or other cause; in fact, alcohol was the one and universal remedy, first on the list of emergency supplies, the biggest item next to foods in the hospital expense bill, the most frequent prescription of the medical practitioner, and the prescription which he most often took himself. The use of alcohol as a remedy was most emphatically endorsed by scientific men and supposed to be backed up by scientific evidence.

Laboratory Research Discredits Alcohol

Today all this is changed. Laboratory researches conducted by the aid of instruments of precision, the same class of instruments which measure the velocity of light, the movements of the stars, and by which the occult forces of nature have been revealed and studied—these delicate methods of precision have been brought to bear upon the study of alcohol and its effects upon the human body, and the result has completely upset and reversed the old beliefs and the old teachings.

Every function of the body has been subjected to the minutest scrutiny; every bodily activity and energy has been calipered with the finest accuracy. By this means we have become acquainted with the normal man. We know how long it takes him to think, to feel, to see,

[2] By Dr. John H. Kellogg. *Good Health.* 61: 5-8, 28-9. June-July, 1926.

to smell, to hear, to taste. We know how much fuel in the shape of food is required to maintain body heat and to enable the body engine to do its work. We know how much oxygen is consumed, how many foot pounds of work can be done in a minute or in an hour or in a day. With a normal man before him, measured, calipered, tested and charted in every conceivable way, the modern laboratory physiologist has made a study of the influence of alcohol upon the human body, its tissues and its activities. The result has been the discovery that alcohol damages every tissue and impairs every function; that it is a universal poison; that it is of no essential assistance to the body under any circumstances whatever; that it is not capable of increasing strength or endurance or vitality one iota, but does the opposite.

Alcohol Damages the Nerves

Here are a few of the things which science has demonstrated that alcohol does to the body: In doses so small as one twenty-five hundredth of the body weight, that is, one ounce for a man weighing one hundred and fifty pounds, alcohol shrivels the nerve cells and impairs every mental function.

By most careful measurements, it has been found that under the influence of alcohol the fires of the body burn low, the amount of oxygen consumed is less, and the tissue activities are slow.

Alcohol a Narcotic, Not a Stimulant

Alcohol is not a stimulant or a tonic in any sense of the word. It is a depressing agent, an anesthetic, a narcotic: it is the mother of many anesthetics.

Alcohol Weakens the Heart

The old idea that alcohol strengthens the heart and hence is just the thing to use in case of fainting, shock,

or collapse, has been shown to be utterly fallacious. According to Professor Kronecker of Berne, Switzerland, a two per cent solution of alcohol (Bavarian beer), will paralyze a frog's heart. Ordinary beer and hard cider contain two or three times as much alcohol; wine, five to ten times as much; brandy and whisky, twenty to twenty-five times as much. Hence, the paralyzing effect of these strong liquors is proportionately greater.

Alcohol Lowers Resistance

One of the most notable discoveries made by modern scientific study of alcohol is the fact that it lessens vital resistance. Animals under the influence of alcohol are a more likely prey to germs. For example, pigeons, which are ordinarily proof against the bacteria which produce malignant carbuncle, under the influence of small doses of alcohol are easily infected and die.

When, nearly fifty years ago, the writer was walking the wards of Bellevue Hospital as a pupil of the senior Flint, that most eminent therapeutist of his time was an enthusiastic advocate of the use of alcohol as a supporting agent in all conditions of vital exhaustion. Following Todd, Doctor Flint led the medical profession in this country to adopt the whisky bottle as a mainstay in the treatment of typhoid fever, pneumonia and most other acute febrile disorders, and for a whole generation this practice was current in this country in the treatment of fevers of all sorts. Even so late as the Spanish-American war, alcohol was relied upon as a chief remedy in the treatment of typhoid fever and pneumonia in the army.

Sir Thomas Barlow, who was one of the early dissidents from this practice, in commenting upon the great change which has taken place in the opinion of the medical profession in relation to the necessity for alcohol as a remedy, remarked that when the Temperance Life Insurance Society of England was formed, some of the men

who constituted the first Board of Directors had actually been refused insurance by other companies because they were total abstainers; and when the Temperance Hospital of London was founded thirty years ago, threats were made that if any deaths occurred in the institution in cases in which alcohol had not been administered, a coroner's inquest would be demanded.

The medical profession of the whole world was at that time captivated by the teachings of Todd, whose sole prescription in a grave fever case was "more brandy," although Jenner, Gull, and other eminent English physicians of the time never endorsed the alcoholic methods of their countrymen.

Now that the struggle of a hundred years has at last resulted in placing in the organic law of our land a mandate against the manufacture or use of alcohol except in the arts and sciences and for medicinal purposes, the value of this agent as a remedy for disease has become a question of imminent importance. If alcohol is possessed of valuable properties as a tonic or a stimulant or a means of supporting the vital forces or functions of the body, then every old toper stands greatly in need of it, and any physician is justified in prescribing the drug as a medicinal agent for every habitual user of alcohol who misses his matutinal or postprandial libation.

The National Dispensatory still recommends alcohol in the treatment of typhoid fever and as a circulatory stimulant in collapse, and in the treatment of pneumonia, scarlet fever, and other infectious diseases; also as an aid to digestion and as a supporting measure in tuberculosis and other wasting diseases.

Since the ordinary sale of intoxicating drinks has been outlawed by constitutional prohibition, some physicians have been willing to assist rum-thirsty citizens by supplying them with prescriptions to be filled at drug stores, relying upon such obsolete and erroneous teaching as that of the Dispensatory to support and justify their action.

But there is good reason to believe that in the near future such pernicious statements will cease to appear in standard medical literature.

The American Medical Association Condemns Alcohol

Several years ago, at its annual meeting, the American Medical Association, the world's largest body of organized scientists, adopted the following preamble and resolution:

Whereas, We believe that the use of alcohol is detrimental to the human economy, and whereas its use in therapeutics as a tonic or stimulant or for food has no scientific value,

Resolved, That the use of alcohol as a therapeutic agent should be discouraged.

This view is amply sustained by laboratory research and by the experiences in the treatment of wounded soldiers during the war. No informed medical man would now think of administering alcohol to combat shock or collapse, since it has been clearly shown that alcohol when introduced into the circulation, does not raise blood pressure and of itself produces the very conditions which are the fundamental causes of shock and collapse.

Alcohol Hinders Immunity

According to Professor Woodhead, experiments have been made with various animals which demonstrate that immunity cannot be established in an animal which is under the influence of alcohol. The reason for this is because alcohol not only lessens the resistance of the body, but also destroys its power to fortify itself against the attacks of germs and germ poisons; and Barlow calls attention to the fact that the conditions produced by the frequent administration of alcohol to fever patients are precisely the same as those produced by the "nipping of an inebriate tippler." In other words, the fever patient is made drunk, and in this condition the ability of the

body cells to fight against invading germs that produce the fever is lessened, and the mortality is necessarily increased.

Alcohol Increases the Mortality of Typhoid Fever

The death rate under the old method of treating typhoid fever and pneumonia was from twenty to thirty per cent. Since the use of alcohol has been lessened, and water and other physiologic remedies have been substituted, the mortality from typhoid fever has been reduced to three to five per cent. In one series of twelve thousand cases the mortality was scarcely three per cent.

Alcohol Lessens Nerve Sensibility

Nervous impressions travel over nerves in a healthy person at the rate of ninety-one feet per second; but under the influence of alcohol the rate of transmission may be as low as thirteen feet per second. That is, under the influence of alcohol, seven times as long may be required to hear, feel, taste or to receive an impression of any sort, as by a normal person. Such a man called upon in an emergency would require at least seven times as long to make up his mind what he ought to do as a healthy person requires, and when large doses of alcohol are administered, the effects are still more pronounced. Certainly, this cannot be regarded as the effect of a tonic. Alcohol possesses no tonic or stimulant power. When taken into the stomach, there is a very slight, transient irritation produced, which gives the impression of a tonic or stimulant effect, but as soon as the alcohol has been absorbed into the blood, so that it actually comes in contact with the nerve centers and other delicate structures of the body, its real effects, which are those of a narcotic poison, become at once apparent.

Alcohol Impairs the Judgment

Smiedeberg, more than twenty years ago, pointed out the fact that under the influence of alcohol "the finer degrees of observation, judgment and reflection disappear," and that all the effects produced by alcohol are really those of a sedative or paralyzing agent. Benedict, of the Carnegie Nutrition Laboratory of Boston, has shown that the depressant toxic effects of alcohol are produced by ordinary beverage doses, and that not alone the higher faculties are affected, but the automatic reflexes, including those which control the circulation and other vital functions. Indeed, the carefully conducted researches of Benedict and Wells showed that the reflexes are much more sensitive to the effects of alcohol than the higher faculties, and are the first to show its influence.

Alcohol Lessens Nerve and Muscle Power

Some twenty-five years ago, the writer demonstrated by means of the chronometer of Verdin and other delicate measuring instruments, that alcohol, even in small doses, depresses all the nerve functions concerned in the reception of impressions through the sense of touch and sight. The reaction time was notably lessened, even by very small doses. The lifting power of the muscles was also reduced nearly twenty-five per cent by a dose of whisky. The maximum effect was noted at the end of one or two hours.

F. G. Benedict has published the results of elaborate studies of the effects of alcohol by means of the most delicate psycholic tests, conducted by himself and his colleagues, concerning which he says: "It will doubtless be considered of enormous practical significance that in none of the data have we any indication of the pure facilitation of the motor processes, but depression . . . seems to be one of the most characteristic effects of alcohol. . . . The general neuro-muscular depression may be re-

garded as presumptive evidence of the effect of alcohol on organic efficiency." In other words, Doctor Benedict found unmistakable evidence that alcohol is first, last, and all the time, a depressing drug, a poison which strikes at the very foundations of life.

Alcohol Harmful in All Doses

Smith found that moderate amounts of alcohol daily (one to three ounces) for twelve days, diminish the power to memorize seventy per cent. Smith concluded that half a bottle of wine or two to four glasses of beer a day not only counteract the beneficial effects of "practice" in any given occupation, but also depress every form of intellectual activity: *that every man, who, according to his own notion, is only a moderate drinker, places himself by this indulgence on a lower intellectual level and opposes the full and complete utilization of his intellectual powers.*

Alcohol Weakens the Heart and Lowers Blood Pressure

One of the most common and pernicious of the popular errors relating to alcohol is the supposition that it somehow strengthens the heart. The full, bounding pulse, usually produced by the administration of an ounce or two of brandy, gives the impression of an increased vigor of heart action; but it is only necessary to determine the blood pressure by means of a Riva-Rocci instrument or Gaertner's tonometer, to discover that the blood pressure is not raised and may be lowered. This lowering may amount to twenty or thirty millimeters or even more. The tonometer measures, not the average blood pressure, but the actual force of the heart. It can readily be seen, then, that the bounding pulse is not the result of increased vigor, but indicates rather a weakened state of the heart, combined with a dilated condition of the small vessels.

In this connection, the fact should be recalled that the heart is not the only force involved in the circulation of the blood. It is doubtless the great engine of circulation, but it has been clearly shown by Schiff and numerous other physiologists that the movement of the blood is greatly aided by a rhythmic action of the small vessels, both arterioles and capillaries. These contractions are not stimultaneous with those of the heart, but serve most efficiently in pushing the blood along toward the veins. The heart keeps the large arteries pumped full of blood, while by means of the contractile movements of the peripheral vessels, the blood is, so to speak, milked out into the veins.

Alcohol dilates the small vessels, that is, paralyzes the peripheral heart. The accumulation and sluggish movement of the blood in the small vessels is shown by the purplish hue of the skin in a person under the influence of alcohol—a wide contrast to the ruddy glow presented by the skin in which the small vessels are actively engaged in the pumping of the blood out of the arteries into the veins, an action in which the small vessels of the whole body may be made to participate by a suitable application of cold water to the surface. It is evident, then, that the beneficial effect of alcohol upon the heart is apparent only, and not real.

Alcohol in Shock and Collapse

The common practice of administering alcohol to persons in a state of shock or collapse from hemorrhage or accident, or a person who has fainted away, has been shown to be almost the worst thing that could be done.

The apparent beneficial results following the administration of alcohol in such cases are caused by the irritation produced by alcohol when it first comes in contact with the mouth and stomach. Alcohol is highly irritating to the sensitive nerves of the mucous membrane, and the

irritation or excitation thus produced is followed by a slight temporary effect. But this disappears very quickly, for as soon as the alcohol is absorbed, its narcotic or depressant effects begin to make their appearance. Then the vessels dilate, the heart's energy is weakened, and the pernicious effects of the drug become manifest. This fact is now so well recognized that railway surgeons instruct employees to avoid giving alcohol in cases of serious accident, as the effect of the drug may be to take away from the victim of a railway smash-up his one remaining chance for life. And at the present time, no up-to-date physician thinks of administering alcohol as a remedy for shock or collapse. Caffein, pituitrin, and other remedies of known value have long since replaced alcohol as a remedy for shock. In cases of sudden fainting, applications of cold to the face and chest, percussion over the heart, and compression of the abdomen, are other well-known measures which render prompt and efficient service, while alcohol renders no service whatever but does actual harm.

Alcohol Hinders Digestion

It has long been known to physiologists that the administration of alcohol excites the stomach and causes an increased flow of gastric juice. But Radzikowski, the famous Russian investigator, has shown that the gastric juice thus produced by the action of alcohol upon the stomach is absolutely worthless as a digestive agent since it contains no pepsin, which is one of the two essential principles required for digestion. Alcohol, then, only induces the stomach to pour out an acid liquid which has no digestive power. Professor Chittenden, the eminent director of the Sheffield Scientific School of Yale University, in experiments upon a dog, found that strong alcohol produced an abundant flow of gastric fluid, but he also observed that an equal quantity of simple water produced an equal amount of gastric juice. Further investigation

showed that the gastric juice produced by the administration of water was possessed of much more powerful digestive properties than the gastric juice produced by the administration of alcohol. Since the alcohol was well diluted with water, it is possible that the actual effects produced by the diluted alcohol were the result of the water used with it rather than the alcohol itself. This conclusion is, in fact, irresistible in the presence of the fact that pure water, if taken in quantity of seven or eight ounces, produces a decided flow of gastric juice possessed of active digestive properties. And the further conclusion may also be drawn that alcohol actually hinders the development of pepsin, since the juice produced by pure water manifested more active digestive properties than the juice which followed the administration of diluted alcohol.

Other investigators, especially Haan, have shown that the influence of alcohol in stimulating the formation of acid by the stomach glands, is a temporary effect which rapidly disappears, so that the ultimate effect of the administration of alcohol is not only to hinder the formation of pepsin, but also to diminish the acid secretion as well. Large doses of alcohol cause the mucous glands to pour into the stomach a large amount of alkaline fluid which completely upsets stomach digestion.

The reason for this, according to the late Lauder Brunton, is that alcohol blunts the sensibility of the gastric nerves, so that the stomach fails to respond in a normal way to the natural stimuli of the foodstuffs. The only natural stimuli of the stomach are those which are found in normal food and water.

It is thus apparent that alcohol does not aid digestion, but, on the contrary, hinders it. A great number of authorities might be cited, the results of whose observations agree with those of Chittenden and others who have been referred to above. It may fairly be said, indeed, that there is no fact in physiology more clearly established

at the present time than that the use of alcohol as an aid to digestion has no support on scientific grounds.

The Hereditary Effects of Alcohol

The poisonous effects of alcohol have been well shown by the striking experiments of Doctor Stockard, of the Cornell Medical College, to determine the hereditary effects of alcohol. It was found that in the case of guinea pigs, if one parent was of normal heredity and the other from grandparents to which alcohol had been given, numerous defective offspring resulted. The descendants of inebriate guinea pigs were found to be dwarfed, weakly, malformed, sterile, and few survived more than a few days.

Dr. Raymond Pearl, of Johns Hopkins University, conducted experiments to determine the effects of alcohol upon domestic fowls. He found that alcoholized fowls produced only one-half as many fertile eggs as the non-alcoholized. Doctor Pearl concluded that alcohol has a destructive effect upon the germ cells of fowls, as well as upon guinea pigs.

The facts clearly show the inevitable result of alcohol habits upon a community or a nation, and leave no room to doubt that inebriety is one of the powerful and insidious forces that is dragging humanity down through race degeneracy. Any influence which depreciates the germ plasm is a race poison, and hence a race menace.

Alcohol in Consumption

Fifty years ago, alcohol was regarded as almost a panacea for consumption. In nearly every large community could be found persons who had become confirmed drunkards through the use of alcohol as a remedy for pulmonary tuberculosis, or lung consumption. But this popular apology for the use of alcohol, like others of its sort, has been shown by modern research to be absolutely

baseless. Indeed, it has been proven that alcohol produces consumption.

Alcohol Is a Discredited Drug

The verdict of modern science respecting the use of alcohol in disease may be briefly summed up as follows:

(1) Alcohol never, under any conditions, increases the vital energy of the body, but, on the contrary, decreases it in a marked and uniform manner, through its poisonous influence upon the living cells.

(2) Alcohol is never a tonic or stimulant. It is always a narcotic, interfering with the bodily functions and lessening the nerve tone and vital energy.

(3) Alcohol always diminishes, never increases, the energy of the heart, and hence is detrimental rather than beneficial in cases of shock, collapse, fainting, etc.

(4) Alcohol increases the liability to infectious disease, and prevents the development of immunity.

(5) Alcohol does not aid digestion, but actually hinders it, especially in cases in which the digestion is already weak or slow; hence its use in connection with meals is absolutely unscientific and irrational, as well as its use as an aid to feeble digestion.

(6) Alcohol diminishes the alkalinity of the blood, and so diminishes the vital resistance and increases susceptibility to disease.

Laboratory research has now fully demonstrated the absolute folly of administering alcohol in any form or in any dose in cases of fainting, shock, collapse, weakness, heart failure, nerve failure, depression, or any other condition in which "support" or vital stimulation is required. As fast as the intelligent and conscientious members of the profession become acquainted with these highly important facts and become convinced of their reliability, they will renounce the use of alcohol, as they have already very largely done.

The observations of Benedict are of greatest importance for the reason that they negative the findings of Kraepelin, who reported that small doses of alcohol produced at first and for a short time so-called facilitation effects, or apparent stimulation. The more refined and careful research of Benedict and his colleagues have shown this to be an error. Any apparent stimulation caused by alcohol is due to the chemical irritation produced by its first contact with the tissues, an effect similar to that caused by strong acids, a hot iron, or any other gross irritant.

Alcohol Becoming Obsolete as a Remedy

The mystic spell by which this subtle drug has held the race in bondage is broken at last. By the refined detective methods of the modern laboratory, the impostor has been exposed, and alcohol can no longer play the rôle of amiable stimulant which has for centuries given it first place in the doctor's list of remedies and every "first aid" outfit. It is destined rapidly to find its place among the numerous other discarded drugs which gained their reputation when science was in its infancy and unable to discover their deceptive character, but are unable to stand the searchlight scrutiny of modern laboratory methods.

In view of the above facts, what apology can be offered for the continued use of alcohol in medical practice? So far as the writer is himself concerned, he finds none, and is glad to be able to say that during an experience of fifty years as medical director of the Battle Creek Sanitarium, in the treatment of more than 175,000 patients, he has found no necessity for the internal administration of alcohol.

Evidently, alcohol is a discredited drug, and only waits the further diffusion of knowledge respecting the baneful and deceptive effects among the profession and

the laity to lead to its retirement as an addition to the growing list of obsolete drugs.

The writer considers this question one of the most important that can be considered by the medical profession. There can be no doubt that thousands of men and women have become addicted to the use of liquors through first taking liquor in some form on a physician's prescription. Many thousands more, comprising perhaps a large proportion of the army of drinking men and women who are hurrying down to premature and drunkard's graves, owe their enslavement to alcohol to the popular belief in the strength- and health-giving properties of "good wine," "sound beer," "pure" cider, gin, champagne, etc.

The influence, the teaching and the practice of the medical profession must be held more responsible than any other single influence for producing and maintaining the alcohol habit, and a practical appreciation of the facts now known and recognized by the leading men of the medical profession as scientific truth would lead to the exclusion of alcohol from the *materia medica.*

What the Medical Profession Owes to Society

The medical profession owes to society an obligation in relation to this question which should lead to a nation-wide effort by physicians to disabuse the minds of laymen of the false notions which are held respecting the value of alcohol as a stimulant, tonic, or supporting agent. Scientific research has stripped the deceptive drug of every one of its supposed virtues, and it stands exposed as the most delusive, treacherous and pernicious agent that has ever been widely trusted by mankind. The popular faith in its healing power, in its value as an emergency aid, must be uprooted by education. Physicians owe to their profession as an instrument of human welfare an earnest effort to destroy the false beliefs which the people

have imbibed from age-long erroneous medical teaching and practice and upon which the public confidence in alcohol is based, and should be of all men most active and efficient in supporting the administration of prohibitory laws. And in no way can this be done more effectively than by the frank acknowledgment that alcoholic liquors are useless as remedies and the refusal to write prescriptions for their internal use.

BRIEF EXCERPTS

The prohibition situation is serious,—desperately serious.—*Editorial. Christian Century.* 44:489. *April* 21, 1927.

The country has been swamped and deluged with prohibition talk.—*Editorial. Catholic World.* 123:112. *April,* 1926.

The extensive disregard and violation of the Volstead Act is notorious.—*John A. Ryan. Catholic World.* 121:145. *May,* 1925.

The issue of prohibition needs more discussion and more clarification. It is the livest issue in American politics today.—*Nation.* 123:497. *November* 17, 1926.

The manner in which the prohibition laws are being violated is notorious and disgraceful.—*Sherwood Eddy and Kirby Page. Danger Zones of the Social Order. p.* 64.

Every drinking man I knew in 1876 and every drinking student of mine up to the year 1890 has paid the death penalty, and they were all fine men who could hardly be spared.—*Henry Fairfield Osborn. Forum.* 73:177. *February,* 1925.

The great rum fight is changing its character. Nowdays it is not primarily a fight for whisky or for beer or for light wines, but a fight for the reasonable control of the conduct of life by people who actually live the lives controlled.—*Harper's Magazine.* 153:127. *June,* 1926.

From the first prohibition enforcement has been infected and weakened by the spoils idea. And now when an able and honest man is undertaking to clean up the whole business of enforcement and place it in the hands of competent and energetic men he is halted by the spoilsmongers.—*Editorial. New York Times. July* 13, 1925.

How the crew of a Coast Guard patrol boat ran liquor ashore from Rum Row, helped the rum ships to do business, set erring skippers on their course and accepted money and whisky for their services was told yesterday at the trial of Ernest and Frank Costello, Ernest and Frank Kelly and fourteen others charged with conspiring to violate the prohibition law.—*New York Times. January 7,* 1927.

The experiment of national prohibition in the United States had one hope of success. That hope lay in the power of the classes usually law-abiding to stand by the Constitution as amended. But, as a matter of simple fact, the establishment of national prohibition is being made impossible by the refusal of those classes to recognize and obey the law of the Republic.—*S. K. Ratcliffe. Contemporary Review.* 129:721. *May,* 1925.

The liquor business operates notoriously and with a knowing wink in the most smug communities, as well as in the more free and easy cities of the eastern seaboard. No person with enough reasoning power to find his way home at noon believes that these organizations of felons and lawbreakers could continue to do business year in and

year out without active co-operation of duly constituted police authority.—*Charles B. Driscoll. McNaught's Magazine.* 4:170. *December,* 1925.

National prohibition is embodied in the federal Constitution, is re-enforced by a drastic enforcement law, is provided with ample funds and machinery for putting the law into action, and is buttressed by the decisions of the highest court. It would seem that there should be no material difficulty in making the vision of the radical prohibition advocates a reality. As yet, however, there is no such reality, and from the nature of the case it is peculiarly difficult to create it.—*Harry P. Judson. Our Federal Republic. p.* 114.

Who brought about prohibition? The distillers and the brewers are solely responsible for the passage of the eighteenth amendment and the enactment of the Volstead Act. Their blindness to the rising tide of public resentment, their refusal to accept even rudimentary standards of morality, their inability to deal squarely even with one another, swept their trade to the destruction that it deserved. They choose to fight their battle with the weapons of debauchery and political corruption. Is it any wonder that they lost their right to live?—*Editorial. Outlook.* 142:279. *February* 24, 1926.

It will be difficult to challenge the conclusion that these changes represent other than a decrease in organic efficiency due to depressive action of ethyl alcohol, inasmuch as such changes are regularly associated with slower reaction, slower muscular movements, less adequate and accurate muscular control, less agile mental operations. The whole qualitative picture is one of decreased human efficiency as a quickly following result from the ingestion of this pharmaco-dynamic substance. . . There is no longer room for doubt in reference to the toxic action of

alcoholic beverages as weak as 2.75 by weight.—*Dr. Walter R. Miles. Alcohol and Human Efficiency. p. 272, 275.*

It's curious about British Columbian beer. For a while the province was dry, as dry as any American state is today. Then the people decided that they wanted beer, and a system was adopted whereby 4 per cent stuff could be obtained readily anywhere. That was a little over a year ago. At first the beer parlors flourished mightily. People brought and drank the beverage and were well pleased with it. Life was worth living again. Then for some reason or other, the trade began to fall off. Patrons seemed to lose interest in beer. One beer parlor after another failed. The number in Vancouver has shrunk already from nineteen to twelve, with more shrinkage expected. When people couldn't get beer, they wanted it dreadfully. When they could have it, and the novelty wore off, they didn't care much about it. Maybe they had really learned something, though not conscious of it at the time, during the period of deprivation. Maybe the alternation dry and wet taught them something.—*Editorial. Cleveland Times. January 17, 1927.*

There is no room for controversy over the assertion that the excessive use of intoxicating liquors impairs the bodily vigor of the people. And it is unhappily true that the traffic in intoxicants, wherever it is permitted, leads to overindulgence. Alcohol is a drug. It is a habit-forming drug. When used regularly, even in moderate quantities, it lowers bodily resistance to disease. When used as the world has been using it for many centuries, it involves a great economic waste, fosters crime and immorality, leads to poverty, diminishes the efficiency of labor, discourages thrift, and promotes sordid conditions of life among the masses of the people. Wholly apart from the ethics of the question it is hard to see how any

impartial student of history, of economics, or of sociology can do otherwise than pronounce the liquor traffic one of the great obstacles to the progress of human civilization. As to the question whether the public health stands to gain or lose by the extinction of the general use of intoxicants there can be only one answer. If the world could make up its mind to stop all use of alcoholic beverages, it would be taking a highly important step toward the bettering of its health standards.—*William B. Munro. Current Problems in Citizenship. p.* 440-1.

AFFIRMATIVE DISCUSSION

FAILURE OF THE VOLSTEAD ACT[1]

1. Extracts from Analysis of the evidence presented before the Sub-Committee of the U.S. Senate Judiciary Committee, April, 1926, made by the Joint Legislative Committee for Modification of the Volstead Act.

Drunkenness under the Volstead Act

Authenticated statistics compiled and reported by the police departments of practically all the large cities of the United States, and many smaller ones, reveal a progressive and continuous increase in arrests for drunkenness from 1920, the first year of constitutional prohibition, to 1925 inclusive, thereby proving beyond controversy that prohibition is not now effectively enforced anywhere in the United States.

Arrests for drunkenness began to decline in practically all cities of the United States in 1917 and continued to drop rapidly during 1918 and 1919, and during the period of this decline in arrests for public intoxication, milder beverages, such as beer and wine, were the principal drinks readily available for public consumption.

By 1924 the arrests for drunkenness in the principal cities of the United States were practically as great in number as in 1916 and 1917, when they reached the high peak, and available reports show that in 1925 they had gone higher than the preprohibition peak, thus proving the unchallenged fact that prohibition as a remedy for intemperance is a total failure.

To a very great extent present day drinking is con-

[1] By Charles S. Wood. *A Criticism of National Prohibition.* p. 21-35.

fined largely to the homes, clubs, hotels and other secret resorts and it is not now at all necessary for intoxicated persons to expose themselves to arrest on the public streets as in the preprohibition era, when most of the drinking was done in the saloons, and, necessarily, intoxicated persons were compelled to use the streets in an attempt to get home.

Corruption

Attempted prohibition enforcement, for the first time in the history of the Republic, has introduced into important departments of the Federal Government, corruption on a colossal scale, and scandals of such magnitude as to bring discredit upon the agencies of the Government and shake the faith of the people in the integrity of the Government they set up for their protection.

The testimony of Assistant Secretary of the Treasury, General Andrews, revealed that 875 prohibition agents have been dismissed for corruption. These figures represent only the discovered corruption, and there are none so sanguine as to believe that they represent more than a small proportion of the actual corruption that has existed in the prohibition unit almost from the day it was originated.

Public Health

Deaths from alcoholism and cirrhosis of the liver, a disease attributable to excessive use of alcohol, showed a steady and abrupt decline from 1917 to 1920, inclusive, and a rapid increase from 1920 to 1925, inclusive, and deaths from both causes have risen to a higher level in the early months of 1926 than in the preprohibition period.

Increased Output of Liquor under the Bootlegging System

After six years of national prohibition and the expenditure of vast sums of money to enforce the law the

manufacture of alcoholic beverages by illicit distillation, and diversion and conversion of denatured industrial alcohol, has become a great and growing industry. The money value of the output of these products was estimated by accredited agents of the Federal Government, charged with the duty of enforcing the prohibition law, as several times as great as the combined expenditures for whisky, wine, beer, and other alcoholic beverages before the ratification of the Eighteenth Amendment.

District Attorney Buckner, of New York, estimated the money value of the alcoholic liquor fabricated from redistilled denatured alcohol in the states of New York and Pennsylvania alone to be more than $3,600,000,000 a year, and Federal Prohibition Administrator Frederick C. Baird, of the Pittsburgh district, estimated the value of the moonshine products of the stills he had captured in his district, in an eight-month period, to be in excess of $2,000,000,000 a year.

These facts show the value of the unlawful output of alcoholic liquor in a very small territory of the United States, not including any smuggled liquors, to be approximately $5,600,000,000 a year, about four times the value of all alcoholic liquors consumed in the United States before prohibition. In these calculations no account is taken of moonshining, unlawful distilling, diversion and conversion of industrial alcohol, outside of the states of New York and Pennsylvania, nor has consideration been given to the fact that moonshining is a much more general practice at points removed from the seaboard and in so-called dry territory, than in the eastern part of the United States where there has been an almost uninterrupted supply of smuggled liquors.

Furthermore, these estimates do not touch the value of the quantity of liquors—whisky, gin, wine, cider, beer, applejack, and other alcoholic concoctions now generally made in the homes throughout the length and breadth of the country—in the cities, in the suburbs, and on the farms.

Failure of Enforcement Agencies

It has not been shown to this committee that the commercial manufacture and sale of moonshine whisky and smuggled liquor has been satisfactorily suppressed in any state or city in the United States, even with the closest and most earnest co-operation of all enforcement agencies of the federal, state and municipal governments. In the cities where the greatest effort of these combined powers has been exerted to enforce the prohibition laws the arrests for drunkenness have continued to mount higher and higher, thus proving conclusively the impossibility of suppressing public drunkenness by enforcement, however drastic and however sincere.

Prevalence of Moonshine

The manufacture of moonshine whisky is an almost universal practice, as illustrated by the fact that 172,000 stills or parts of stills were captured in 1925, and that the number captured year after year has increased rather than diminished, and that the federal administrator of prohibition admitted that not one still in ten in actual operation is captured by the agents of the Government.

The stills and parts of stills were captured in vastly greater numbers in so-called "dry" states than in "wet" states, proving conclusively that where it is more difficult to obtain smuggled or diverted whisky the demand is supplied by local manufacture.

Home Manufacture; Lawlessness

The immediate effect of curtailing the commercial supply of alcoholic liquors has been to drive the manufacture of whisky, wine, beer, cider and other alcoholic beverages into the homes of the American people—in the presence of women and children.

The manufacture of alcoholic liquor in the home, however disastrous the act itself may be upon the health

and family life of the nation, is of small consequence as compared with the evil and demoralizing effect of the example of defiance and contempt for law and constituted authority on the part of parents on the youth of the land growing into manhood and womanhood in an atmosphere of utter disrespect for one of the solemn enactments of the Federal Government.

All officials, federal, state, or municipal, appearing before this committee have freely testified that they have made no effort to invade the homes to enforce the prohibition law or even to enforce the law against the small violater, that they are unable to go into the home under the law as interpreted today, and some stated frankly that under no circumstances or consideration would they attempt to invade the homes of the people to enforce the prohibitory law.

Whisky, gin, wine, beer, cider and other alcoholic beverages are now manufactured in millions of homes—some estimates being as high as 90 per cent of the homes in certain communities.

General Results

Alcohol may be readily made from corn and cane sugars, by the addition of yeast, without odor or residue, thus simplifying the problem of the moonshiner and household distiller, and under such conditions it is extremely difficult for the officers of the law to locate and suppress such illicit manufacture of liquor.

The enforcement of the prohibition law in centers where the sentiment of the people is strongly arrayed against it—which condition prevails in most of the populous centers of the United States and in many of the smaller cities—has become such a difficult, corrupting, and crime-breeding problem that the time and effort of public officials is so largely occupied in attempted suppression of its evils that they are compelled to neglect their vastly more important public duties.

Prohibition enforcement promotes feuds among public officials, embitters neighbor against neighbor, thus inciting ill feeling, riots, crimes of violence, and disturbing the good neighborly relations that should exist in all communities.

In its attempted but wholly unsuccessful enforcement it has resulted in the killing and wounding of many prohibition agents, public officials, citizens, and interfered with the business or pleasure of many thousands of citizens who have been fired upon by prohibition agents, subjected to seizure and search and indignities.

Prohibition has led to increased drinking of intoxicating liquor on the part of women and children; it has popularized the hip-pocket flask; it has made the serving of liquors in the homes a social custom; it has contributed directly to a condition of immorality graphically and tragically illustrated in an alarming increase in social diseases, especially among the youth of the land.

Prohibition has created a vast army of rum runners, moonshiners, bootleggers, and corrupt public officials, thereby directly breeding a condition of lawlessness unequaled in the history of the Republic. This era of lawlessness has been disastrous to the moral standards of government and individual citizenship, and its evil outcroppings have been evidenced by the preponderance of desperate and violent crime now being perpetrated by the very young.

Even if the Federal Government, by enormous expense and effort, in cooperation with state and municipal governments, with additional enormous expense and effort, should be able fairly to effectively suppress the smuggling of alcoholic liquor into the United States from the sea and the Canadian and Mexican borders; to stop the diversions of industrial alcohol into beverage liquor, and stamp out the commercialized distillation of moonshine whisky—at a cost to the combined governments of billions of dollars of revenue—it would not then have

even made a beginning at the suppression of the manufacture of alcoholic liquors in the American homes, for the reason that those conditions become worse with every curtailment of commercial beverages, and by the time the commercial traffic could be even fairly controlled the home manufacture would have so multiplied that the demand for beverage alcohol would be fully supplied.

The cost of even moderately effective control of the commercial traffic would mount to prohibitive sums, it being estimated by United States District Attorney Buckner, of New York, that it would require an appropriation of at least $75,000,000 a year to restrain the commercialized industry in the State of New York.

Attempted prohibition enforcement has not only had a demoralizing and corrupting effect upon all governmental agencies concerned in its administration, but it has introduced demoralization and corruption in the professional agencies charged with the protection of the public health—druggists and physicians.

In addition to its complete failure as a temperance measure, as shown by the fact that public drunkenness is now as great as in any period before prohibition, it has visited upon the country a train of evils of far reaching and deadening effect upon the public morals and public conscience; it has been a prolific breeder of crime; it has demoralized the youth of the land, and altogether it has been the greatest curse that ever came upon the country disguised as a blessing.

Success of Regulation in Foreign Countries

While the United States, under prohibition, has made no progress whatever toward temperance, other countries, notably the Canadian Provinces, England and France, have reduced public drunkenness, in many instances more than 60 per cent, and they have not experienced any of the difficulties of enforcement so general throughout the United States, nor have they been visited by terrifying

crime waves, disrespect for law and authority, and corruption of their governments.

The foregoing facts are conclusive, overwhelming, and unchallenged proof that the trend toward national sobriety under sane restrictions which enabled citizens to supply their requirements for beer and wine of low alcoholic content, which was progressing so favorably between 1917 and 1919, was completely overthrown by national prohibition and drunkenness today, under the Volstead Act, and under the state prohibition acts in all but a few of the states, is as uncontrolled as it was when the saloons were running wide open and there were no restrictions or limitations upon alcoholic liquors.

Progress Abroad; Retrogression at Home

It is somewhat difficult to grasp the significance of the failure of prohibition as a temperance measure in the United States without comparing the results achieved by other nations under sane regulation. It was introduced in the record that Boston, under prohibition, has 4833 arrests for drunkenness per 100,000 of population, while Montreal, under regulation, has but 627. The official records of the Home Office of Great Britain show that convictions for drunkenness in England and Wales dropped from 182,593 in 1912 to 79,082 in 1924, and official reports of arrests for drunkenness in three world capitals—Washington, London, and Paris—show this interesting result, on the basis of arrests per 100,000 of population. Washington, under prohibition administered direct by the Federal Government, 2500; Paris, under regulation, according to a report by the Ministry of Labor, 500; and London, also under regulation, according to Home Office statistics, 375.

Washington, under prohibition, and after more than five years of enforcement effort, is shown to be exactly five times as drunken as Paris and seven times as drunken as London. If we include in Chicago's arrests for

drunkenness also those of disorderly conduct, we find this city, with but 3,000,000 population, has many thousand more arrests for drunkenness than England and Wales combined, with 40,000,000. Thus is recorded in unchallenged statistical records our progress toward temperance under prohibition.

While other nations, under regulation, are making steady progress toward national sobriety, the United States, under prohibition, is not only shamefully drunken, but is becoming more intemperate from year to year.

Diversion of Medicinal and Industrial Alcohol and Spirits

General Andrews described at some length the methods used by some druggists of splitting whisky and of some doctors in selling their prescriptions. This subject was also more fully discussed by District Attorney Buckner, of New York, in his testimony. We quote from the testimony of General Andrews to show how this is done:—

> The present law is such as to force present owners of whisky to dispose of their goods and protect their investment by selling them in a competitive market. . . Now, they sell through commission agents. Those commission agents have got to make sales in order to make a living. So they become often—not always, but often—what I call "procurers" of illegitimate business in order to get a market. My information—and the investigation which we are making in New York justifies my belief—is that doctors are often induced to sell prescription blanks, of which they have twelve hundred a year. I do not mean to say all doctors do that, of course, but here and there is one who does it. . .
>
> Then the druggist also is a man whom we all depend upon for the health and security along that line of our families. We do not want to accuse him, but here and there is a druggist who will yield, and between the two it is, in effect, a conspiracy and the representative and owner of the whisky who has determined that he has got to sell it, they arrange for using that whisky which is withdrawn to flavor alcohol, what we call split whisky, and if the druggist is entitled, say, to twenty cases of whisky he gets his twenty cases, but they have been split, and the bootlegger gets sixty cases which he sells on the market. So the druggist is selling his patients impure whisky, and the

gentlemen who want to buy it are buying impure whisky all under the label and stamp, and so on.

SENATOR MEANS: I heard that filling stations selling alcohol as a non-freezing solution have been a source of annoyance to your department.

SECRETARY ANDREWS: Until perhaps two months ago we all believed that the antifreeze mixture should be distributed as freely as water; that it was impossible to do what we call renature it; that is, to undertake to make it possible to use for beverage purposes. But the chemical art has been going forward so fast that to our astonishment we found a distilling plant that was making beverage alcohol out of antifreeze mixture. And in the same city we found one using embalming fluid for beverage purposes. So it has become a pretty serious problem to let people use alcohol for these purposes; and they get to using even wood alcohol, and they are apparently not afraid of it.

2. SOME ADDITIONAL CONSEQUENCES OF THE VOLSTEAD ACT

(a) Smuggling.

Enormous quantities of liquor have been smuggled into the United States yearly since the enactment of the Volstead Law. Much of this has come directly through the Custom House, through a system of false labeling and false invoices. For years the existence of "rum row" was a public scandal. To break up this open defiance of the law it was necessary to spend many millions on additional equipment of the Coast Guard and greatly to increase its personnel. The assignment of the Coast Guard to the duty of preventing the smuggling of liquor has resulted in an outbreak of scandals within it similar to those within the Prohibition Enforcement Department itself.

To keep the smuggling of liquor within bounds it is evident that the United States will have to maintain what

amounts to a blockade of its own coast similar to that which it would try to impose upon an enemy country in time of war.

(b) Working Capital for Criminals.

The enormous profits of bootlegging have placed great sums of money in the hands of the criminal classes who, prior to prohibition, were usually poverty-stricken. This has assisted in making the detection and punishment of crime more difficult and unquestionably accounts in part for the shocking increase in crimes of all nature, which is reflected in American criminal statistics and contrasts so unfavorably with the marked reduction in crime in Great Britain.

(c) Degradation of the Federal Service.

A horde of spies and agents provocateur have been turned loose upon the community. The repulsive duties of the prohibition agent make it next to impossible to enlist the services of self-respecting men, and the class of men who have entered the service has been so discreditable as to lessen very seriously public respect for federal officers in general. The agent provocateur who breaks the law himself and tempts others to do so in order to make arrests is held in detestation by all honorable men.

(d) The Discriminatory Effect of the Law Has Caused Widespread Discontent.

The rich man who stocked his cellar before prohibition may drink his good wine or whisky in security, and often replenishes his stock, with little fear of consequences, at bootleg prices far beyond the reach of the poor man, who is denied even his glass of beer. The farmer or country resident legally makes his own wine from fruit or flowers provided it is non-intoxicating in fact, which in practice means that he may get drunk if he pleases on hard cider without interference. The city dweller may not legally

brew in his own kitchen the low percentage beer which the Government itself has officially admitted to be non-intoxicating.

(e) All Control of the Drinking Habits of the People Has Been Made Impossible. There can be no regulation of—

1. The quantity or quality of liquor consumed.
2. The hours, places or conditions of its sale.
3. The persons who may make, buy or sell it.

For all these things are now done in secret.

3. Senator Bruce's Indictment

Prohibition in the United States has proved a disastrous, tragic failure, and aside from precipitating the end of the old saloon, which would have gone in time anyhow with the steady increase of temperance that was under way when the Eighteenth Amendment was adopted, has had no effect, on the whole, except that of blighting human happiness, debasing human morals and discrediting human laws. . .

During the first twelve months after it took effect it looked as if it might work. . .

But in an incredibly short period an entire underworld for the manufacture, sale and distribution of drink was called into being. . .

Even were the bootleggers entirely exterminated it would simply stimulate to an unprecedented degree home distilling and wine making. The still and the fermenter would become as common in the home as the spinning wheel once was. . .

As I see it, the end of American liberty would, indeed, be in sight, if an organized system of espionage were to encompass the American home, which might not scruple even to solicit servants to betray the confidence of their masters, or to afford one member of a family an opportunity to wreak some festering grudge upon another.

Ever since I heard that even the home might not be spared by the enginery of the inquisition which prohibition has established in this country, the words of Lord Chatham, which were so familiar to our people when they were winning the liberties that have now been so lamentably abridged, have been haunting my memory:

"The poorest man may in his cottage bid defiance to all the forces of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storms may enter; the rain may enter; but the King of England cannot enter."

Never in the history of free institutions has any government more pertinaciously sought to carry out a policy, obnoxious to a powerful popular sentiment, than has the Federal Government in its relations to the Volstead Act.

4. Effect on Municipal Government

From the testimony of Mayor Dever, of Chicago:

If all of the officials—federal, state, county and muncipal—would coordinate their efforts in a real purpose to enforce even an unpopular law, they could enforce that law.

But after we say that much how far have we gotten in dealing with this most tremendous and difficult problem? . . .

What we mean when we say the law can be enforced is that we can bring about by pressure, by coordination of effort, a decent respect for that law in the community. . .

But that does not solve anything. That is an idealistic program that has never been attained in America that I know of. . .

Even if we were to coordinate our efforts and bring about enforcement of these laws, what would we be doing as a matter of fact. We would be, in Chicago, forcing laws down the throat of the unwilling and objecting people. . .

It is almost impossible to give anything approaching good government along general lines, this one subject presses so strongly upon our attention. Even I, who have tried to divest myself personally and as chief executive of the City of Chicago of the subject, and not to allow myself to be embroiled in it, find myself immersed in it, to the very great damage of the city, from morning until night. . .

You have asked me the question what I would recommend? . . .

My answer is this: Patient, courageous, intelligent, tolerant study of the whole problem. There is not a man in my judgment in America who has any right to come before your subcommittee and dogmatically say to you that this or that is the way to cure this particular evil. The factors are not known to any of us that ought to be definitely weighed and considered before there is a final answer to your question.

I do not think any man is big enough to undertake, in the present chaotic state of public opinion and public knowledge on this subject, to tell you the exact thing that ought to be done. But I have the very definite belief, developed out of an experience that has come to but few men, that something should be done. . .

You cannot have successful government in Chicago if you impose laws upon those people that the people themselves do not want. If you attempt to do it you will bring about pandemonium, and we have pretty nearly reached that state in our municipal progress at this time.

5. A Terrible Arraignment

From the testimony of Hon. Alfred J. Talley, until lately Judge of the Court of General Sessions, New York, the greatest Criminal Court in the world:

(1) For the first time in our history full faith and confidence in and respect for the hitherto sacred Constitution of the United States has been weakened and impaired because this terrifying invasion of natural rights has been engrafted upon the fundamental laws of the land and experience has shown that it is being wantonly and derisively violated in every state, city and hamlet in the country.

(2) It is a law without a sanction, a law that cannot be enforced; and such a law is one that nature and the best instincts of a free people abhor.

(3) It has made potential drunkards of the youth of the land not because intoxicating liquor appeals to their taste or disposition, but because it is a forbidden thing, and because it is forbidden makes an irresistible appeal to the unformed and immature. It has brought into our midst the intemperate woman, the most fearsome and menacing thing for the future of our national life.

(4) It has brought the sickening slime of corruption, dishonor and disgrace into every group of employees and officials in city, state and federal departments that have been charged with the enforcement of this odious law.

(5) Because the Anti-Saloon League, which arrogates to itself the dubious credit of having foisted this thing upon a listless people, claims to be a religious organization, it has brought into government an arrogant interference of religion, contrary and abhorrent to one of the cherished ideals of American government.

(6) The oft-reiterated promise that the abolition of liquor would diminish crime has been given the lie. Since the enactment of this law and largely because of it crime has increased throughout the nation; it has become a great national problem and we stand disgraced under the irrefutable indictment of having become the most lawless nation upon the face of the earth.

(7) It has substituted for the saloon, that trafficked in the open, that was regulated by enforceable law, that paid its taxes to the government, the secret, clandestine, unregulated and migratory "speakeasy" that breeds in stealth and secrecy the degradation of a free people.

(8) It has attempted through Congress to do what the wisest and most astute of men never attempted to do—define what is intoxicating liquor, disregarding the truth and the indisputable fact that it is not the use but the abuse of intoxicants that can ever make them obnoxious or injurious.

(9) It has attempted to legislate morality into the hearts of men, usurping the province of religion and the love and fear of God.

(10) It has essayed to do an impossible thing, to interfere with and dictate the personal habits and preferences of humanity, which the experience of mankind and the history of all nations have proven cannot be successfully accomplished. It has destroyed our sacred Bill of Rights; it has made us the scorn of other nations; it has made sneaks and hypocrites of the once fearless and straightforward and chivalrous American people.

The Cause and Remedy

(From the testimony of Judge Alfred J. Talley at the hearings before the Sub-Committee of the United States Senate Judiciary Committee, April, 1926:)

Asked to suggest a remedy for the conditions he had described, Judge Talley said that in his opinion the conclusion was irresistible that the increase in crimes of violence or passion, and in intoxication, and the breakdown of administration of the law can be traced primarily to disrespect for law engendered by the operation of the prohibition law, and that in this conclusion the nine judges associated with him on that great criminal bench that handles more cases than any other court in the world concurred. The country would be immeasurably better off and crime would be reduced tremendously if the Eighteenth Amendment were repealed.

But the first step in seeking a remedy is to make it possible to obtain light wines and beer openly and legally. This would destroy the bootlegger and the speakeasy by taking away their business, as the people would not then "give a whoop" about hard liquor.

(From the testimony of William Roberts, representing the American Federation of Labor.)

The A. F. of L. went on record at its convention in October, 1923:

As being in favor of such modifications of the existing law to permit the manufacture and vending of wholesome beer and light wine. . . It is our belief that the efforts at enforcement of the Volstead Act have produced results that in themselves are so far from being what was promised or reasonably expected might follow the adoption of the Eighteenth Amend-

ment that we felt warranted in saying that the reasonable modification now asked for and a rational enforcement of the Eighteenth Amendment will bring the relief greatly sought by the people.

It is the opinion of the American Federation of Labor that the most serious danger confronting the republic is the fact that we are drifting nearer and nearer to being a whisky-drinking nation.

PROHIBITION AND CASTE[2]

To get a true picture of the operation of the federal prohibition of intoxicating beverages in America it is necessary first of all to understand that the statutes and regulations create automatically four privileged classes: One, the rich. Two, all who have homes of their own. Three, all who were at home in 1919 before the Eighteenth Amendment and the Volstead Act became effective. Four, the Jews. A considerable part of the American population enjoys the favor of one or more of these exemptions; a few enjoy them all; and a larger and increasing number, though still a minority of the whole, are excluded from any of them.

Of these four privileged classes, the first and most important, because the most durable, is the privilege enjoyed by the rich. The effect of prohibition has been not to stop the traffic in wines and spirits, but to change it from a taxed, licensed, and lawful traffic of moderate profits to an untaxed, unlicensed, and unlawful traffic, offering enormous gains to those who engage in it successfully. They pay nothing to the revenue of the city, the state, or the country at large, but they obtain high prices, proportionate to the difficulties that they overcome, the risks that they incur, and the amounts that they expend in bribes. These profits keep the business going and only the rich, or at least the comparatively well-to-do, whose incomes give them a substantial margin above the necessary costs of living, can afford to pay the prices that return

[2] By Rutherford H. Towner. *Forum.* 76: 91-8. July, 1926.

these profits. All of this class, accordingly, who have cared to do so, have continued to drink intoxicants since prohibition. For them, the statute has not stopped and never will stop drinking. It has changed their habits a little, but only in the following respects: it has increased the price that they must pay for intoxicants of the wholesome standards that were available at much lower prices before prohibition; it has changed the traffic from public to private, and it has changed the act of drinking, itself, from public to private or semi-private; it has created the new crime, and therefore the new risk, of open transportation, so that they have acquired the habit of concealed or secret transportation; and, as this is best done by carrying the intoxicants on the person, they have adopted the use of the pocket-flask; but, as the capacity of a pocket-flask is limited, the beverage it contains must be proportionately strong, so that it has become the habit of the rich to carry whiskey in their flasks, and to drink it almost to the exclusion of other and milder forms of intoxicants.

The second class of privileged Americans enjoys the "home" exemption. The statute exempts from seizure intoxicants lawfully acquired and kept in the possessor's "home." They may not be transported without a permit; but so long as they are retained at home they may be lawfully drunk by their possessor and his family or given to his guests. The statute classifies as an "intoxicant" any beverage containing more than one-half of one per cent of alcohol by volume; but the department for enforcing the prohibition law will, upon application, permit the manufacture of not exceeding two hundred gallons annually of a beverage having an alcoholic content exceeding one-half of one per cent, provided that it is manufactured in the "home" and is not otherwise "removed, consumed, sold, or delivered." Fermented beverages require time for fermentation and still further time to become mature and palatable. This privilege, therefore, extends to all classes of Americans who are the fortunate

possessors of a permanent "home", where nature's beneficent processes can be given the necessary time for converting fruit juice into wine; and where there is also the necessary space for storing it and allowing it to reach a wholesome maturity.

The third and largest group of privileged Americans enjoys the "time" exemption. All intoxicants lawfully acquired and stored, in the possessor's home, *before the prohibition law became effective,* are still lawfully possessed and may be lawfully drunk, at the home where they are kept, without any regard for the strength of their alcoholic content, and without any restriction as to quantity or time. The effect of this provision of the act has been not so much the creation of a privileged "class", (the number of home-owning Americans in 1919 is too large to be properly called a "class", as to create three unprivileged classes: (1) those Americans who were overseas in 1919 and accordingly could not "lawfully acquire" a stock of intoxicants before the prohibition act became effective; (2) those who were in America in that year but had not the money necessary to buy a stock; and (3) those who were in America but had not a "home" where a stock of intoxicants could lawfully be kept and stored. This (3) is the largest class of all, because it includes all those who were under age; and its numbers are constantly increasing because, as the years go on, those who were then in their teens or younger, gradually reach maturity and find the prohibition law operating against them, simply because they were children in 1919 and had neither money to buy intoxicants nor a home in which to store them. As they grow up and begin to receive large salaries and to acquire wealth, they find themselves, by time alone, separated from those privileged Americans who, simply because they were older, were able lawfully to acquire, and store in their homes, a stock of wines and spirits. Hence, they find in their money, and in traffic with bootleggers, the only means of return-

ing the hospitality offered to them by their privileged elders.

The fourth class enjoys a "religious" privilege. This is the smallest privileged class of all and consists of Jews alone. Its privileges may be exactly quoted from the rules and regulations of the U. S. Treasury Department and of the Prohibition Commissioner in the following terms:

> In view of the fact that it has been the custom during many centuries for Jewish families to make in their homes the wines used in the religious rites connected with the Sabbath observance, the observance of the Passover, and other solemn feasts, the propriety of permitting the continuance of such custom is recognized. (From U.S. Treasury Decisions 2940. Approved October 29, 1919.)
>
> Where wine is furnished by a rabbi to members of his congregation for use in the home, not more than ten gallons a year may be so furnished for the use of any family. (Regulations 60, U.S. Prohibition Commissioner. Approved January 16, 1920.)

The distribution of sacramental wine to Jews is in the power and discretion of their rabbis, and there is naturally a good deal of elasticity in the act's enforcement. It is, as a matter of fact, notorious that in Jewish homes, clubs, and societies generally, the use of wine and spirits is nearly as common and profuse since the enactment of the prohibition law as before.

These four privileged classes, who may be correctly described as enjoying the privileges of "money", of "place", of "time", and of "religion", include altogether a very large part of the American nation. The four privileges are not all of equal value, the first one, of "money", being, as I have shown, nearly equal to all the other three put together. But they are cumulative,—not only in the privileges which they grant but in those which they withhold. So that if it is your good fortune to be a rich Jew with a permanent, inherited home, and in America, and over twenty-one years of age in 1919, you may lawfully enjoy, under the prohibition statute, the most complete

freedom in the use of the choicest spirits and vintage wines, lawfully stored in your home, and without any violation of the prohibition statute whatsoever; whereas, if you are a poor Christian who was twenty years old and in the Expeditionary Force overseas in 1919, now living in a hall bedroom and getting a small salary, you are effectually excluded from each and all of these privileged classes. If that is your lot and you drink at all, it must be of the poisonous chemical compounds sold by cheap bootleggers or furtive speak-easies.

The prohibition statute and the regulations of the prohibition commissioner, decreed under its authority, have given an entirely new and Asiatic cast to American life. From the monarchy of Nebuchadnezzar to the present day it has been the theory and practice of Asiatic despotisms that the most awful of crimes is disobedience to the commands of the ruler. This was never the doctrine, and could not be the doctrine, of a free people. Until the advent of prohibition it was never heard of in America. So that now we have a kind of crime that is quite new. If you take intoxicating beverages, your lawful property, from one home to another, and have a "permit" from the prohibition department, you are guiltless of crime. Without a permit you are a criminal. If you make wine in the home and have a "permit" you are innocent; without it you are a criminal. If you are a Jew and buy wine for the family table it is lawful; if you are a Christian it is unlawful. Guilt or innocence stand or fall by the fiat of a paid official. A government permit is more valuable than an "indulgence" in the Middle Ages. With it you are absolved and innocent; without it you are a criminal and subject to punishment. Rights and wrongs have been abolished, moral turpitude no longer counts as part of a criminal act, but a paper "indulgence" granted by a government officer is the sole test and criterion of guilt or innocence. One is reminded of the paper notes, good for twelve months and sold for sixpence each, in

Spain a hundred years ago, which authorized pious Spaniards to eat flesh meat on fast days. Without these notes they were liable to punishment by the Holy Office.

That the prohibition statutes, federal and state, one and all, are equally demoralizing is agreed to by all,—including both the advocates and the opponents of prohibition. They differ only as to the remedy. Those who advocate prohibition claim that the statutes are right in themselves and that demoralization is the effect of non-enforcement. Those who oppose prohibition ask for the repeal of the statutes. Each side accuses the other with perfect truth of seeking an impossible remedy. It is certainly true that the prohibition statutes cannot be enforced; and it is probably equally true that they cannot (for the present, at least) be repealed.

The notion that the multitude of prohibition statutes, including the Volstead Act, are demoralizing and lead to disregard of all laws, simply because these are not enforced, is part of the propaganda of prohibitionists in their effort to sell their fanaticism to the American people. It is, of course, wholly erroneous and is founded on the same bad psychology that put the prohibition laws on the statute book. Prohibition is and always will be demoralizing to any people. But this is because it denounces as crimes things and acts which are in themselves perfectly innocent. In its definition of offenses, it leaves conscience entirely out of the account. The statutory offense is complete without any sense of guilt on the part of the accused or even without any knowledge of the acts constituting a crime.

Take the following examples:

(1) A man takes his friend motoring and the friend, unknown to his host, takes a bottle of whiskey. The car is stopped and searched and on discovery of the whiskey, it is seized and forfeited, although the owner was quite ignorant of the fact that there was any whiskey aboard.

(2) A patient is suddenly stricken with pneumonia.

The doctor orders whiskey but is unable to prescribe it on blanks furnished by the prohibition department because their number is limited and his stock is exhausted. A friend who is hurriedly telephoned, takes a bottle of whiskey from his own stock and hurries to the patient's bedside. For this act of mercy the conscience is entirely clear, but he has nevertheless committed a statutory crime.

(3) A lady from a western city, an earnest church worker, visits New York to do some Christmas shopping. She falls on the city pavement and breaks her hip which necessitates her confinement for weeks in a New York hospital. At home the family Christmas dinner has always been celebrated with the accompaniment of champagne, of which they have an ample stock lawfully acquired before the prohibition law became effective. To cheer the invalid the whole family come on to eat their Christmas dinner at her bedside in the New York hospital, but they are unable to bring with them the customary champagne for the celebration because it would be a crime. A New York friend comes to their relief by sending a bottle of champagne to the hospital, concealed in a basket of flowers. For taking it from his home to the florist, he is a criminal. For taking it in the flowers to the hospital, the florist's driver is likewise a criminal and his vehicle is subject to confiscation. Finally, the hospital itself, the nurse who carries it to the patient's room, and all the participants in it away from home, may all be criminals.

These are not fanciful or exaggerated examples. Each is an actual violation of prohibition statutes and if such statutes are to be "enforced" as fanatics demand, each of these acts must be prosecuted and punished. Charity and benevolence, taking wines to the sick and the bedridden, are converted by statutory definition from acts of mercy to crimes against the State. To persuade a whole people that generosity is a crime is absurd and impossible. The more drastic the attempts to enforce such

a statute the more absurd it becomes. The prohibition enforcement officers probably do not in fact frustrate one attempt in ten thousand to disobey the law. It is disobeyed regularly and habitually with a perfectly good conscience by millions of perfectly good American citizens.

While its demoralizing effect is not the result of disobedience, it is demoralizing nevertheless, to the younger and rising generation of Americans because it attempts to mould their plastic minds into utterly false ideals of right and wrong. It demands that their sense of crime and wickedness shall be utterly disassociated from conscience or a sense of guilt; that they must believe that acts quite innocent in themselves are just as wicked and just as criminal as burglary, theft, and murder. They are told by prohibitionists that it is no worse to steal than to carry in their pockets a flask of whisky to a sick bed, a football game, a dinner, or a dance. And as the prohibition law has restored whisky to popular esteem and the carrying hip pocket-flasks has become a universal habit, the young are being taught that stealing is no worse than this. The result of such teachings is not to stop the habit of carrying flasks,—the prohibition law has made that universally popular,—but to teach the young that grave moral crimes are no worse than drinking; and therefore that stealing is not so bad after all.

The effect of such teachings has been briefly and accurately stated by Lecky: "In circles where smoking, or field sports, or going to the play, or reading novels, or indulging in any boisterous games or in the most harmless Sunday amusements are treated as if they were grave moral offenses, young men constantly grow up who end by looking on grave moral offenses as not worse than these things. They lose all sense of proportion or perspective in morals, and those who are always straining at gnats are often peculiarly apt to swallow camels."

All prohibitions of things not morally wrong have the

same effect and all are equally and necessarily demoralizing. When an act, innocent in itself, is by statute made a crime and is prosecuted and punished as such by the State, the effect upon the populace, which includes the rising generation, is a general disregard of all criminal and penal statutes. If *mala prohibita* are punished like *mala per se,* then the latter are not worse than the former. If the honest and peaceful trafficker in forbidden beverages is hunted down, prosecuted, and punished, then the robber and hijacker who breaks into homes and steals liquor from its lawful possessors is no worse, and is in no greater danger of prosecution and punishment. The standards of civilization are abandoned and men return to a state of primitive savagery where property is seized by violence and its ownership protected by equal violence. Thus lawlessness in the true sense of the word results, not because a statute is disobeyed, but because theft and robbery are no worse and no more punishable than disobedience to the statute.

The prohibitionists, worst psychologists in the world, refuse to follow the advice of Jesus who was the best,—"Resist not evil." While that advice was practically followed in America during the three generations that whisky was untaxed or slightly taxed and cheap, the aversion to it grew into almost a national sentiment,—a mania with some,—and moral and spiritual barriers against drink created a sober nation. From a vice to be shunned, whisky-drinking has become a badge of freedom, a declaration of independence, and a fashionable diversion, indulged by both sexes and by the young as well as the old.

REPEAL THE EIGHTEENTH AMENDMENT[3]

The Eighteenth Amendment must come out of the Constitution because it does not belong there. It affects

[3] By Nicholas Murray Butler, being a part of his speech in the Borah-Butler debate, as reported in the *New York Times.* April 9, 1927.

and disfigures it. It contradicts every principle on which the Constitution rests, and the difficulties, the embarrassment, the shocking scenes reported daily from every part of the land are the natural and necessary result of the inner contradiction. It has been set up between the Constitution as it is, and the Eighteenth Amendment added to it in 1919.

Declares Amendment Dangerous

My first ground of appeal to my party to lead the way in restoring our Government is that this amendment is revolutionary and highly dangerous. There are two ways of overturning a federal form of Government and destroying it. One is by breaking is to pieces, which was secession. The other, and equally dangerous, is to destroy the component part by building up at the centre a great Federal bureaucracy to care for every detail of local and State administrtion and life, and to reduce the names Massachusetts, Illinois and California to descriptive geographical terms. The one is just as easy and just as complete a way of transforming our Government as is the other.

That is not a question of States' rights. That term has a technical meaning in American history. States' rights means the Kentucky and Virginia resolutions of 1798. States' rights means the outgivings of the Hartford convention of 1814. States' rights means the doctrine of nullification taught by Calhoun and practiced by South Carolina in 1832. States' rights means the doctrine of secession as practiced in 1860. States' rights, as we know that phrase in American history, lies dead and buried in the graves of a million men who gave their lives for their convictions and settled that question on the battlefields of the stupendous Civil War.

Local Self-Government Stressed

That is not a question of States' rights; it is a question of State privileges, State duties, State responsibil-

ities. It is a question of the protection and preservation of local self-government on which every form of democratic government must finally depend. Destroy that, and what have you left? Local self-government, the essence of the entire undertaking upon which we are engaged.

I am quite sure that my friend, Senator Borah, and I cannot be very far apart on this question, for I find, in the record of the debate in the Senate on March 1, 1914, this admirable declaration:

> I am not in favor of putting in the Constitution of the United States a provision of the fundamental law of which we, as a nation, are going to live in defiance 365 days in the year.

My Dear Senator, I agree with you entirely, but why confine it to woman suffrage?

> And if it is not going to be enforced in all parts of the nation, then there is no reason why it should not be left to the different States to act on the question of equal suffrage and have public opinion behind it.

Senator, I agree with you.

You have stated with your admirable cogency and directness the very heart and the essence of my argument.

Trouble Laid to Different Laws

But there is trouble, because it appears that certain States of the Union had earlier than that, adopted prohibition either by referendums, by statute or by constitutional amendments of their own. So there was embarrassment owing to the fact that States not having similar laws could and did promote the shipment of the prohibited articles into the States enjoying the privilege of prohibition. And so it seemed to be necessary, unless I mistake, it seemed to my friend the Senator from Idaho, to be necessary to adopt the Eighteenth Amendment in order to protect those States which wished to have a prohibition policy of their own.

What about the States that did not? Who is going to protect them? It is only a generation since Senator

Edmunds of Vermont, a very able lawyer and a great statesman, laid down the doctrine in senatorial debate that a Senator was chosen from a State but that he was a Senator from the United States, and that the whole people were his constituents. The whole people are the constituents of every Senator. What about the eighteen States, having a population of 56 per cent. of the total population of the Union, that had no such law? What about the States, the eighteen States with 33½ per cent. of the total population, that had the restrictive legislation, but that permitted individuals to exercise their ordinary civil and political liberty in this respect?

Twelve States had 11 per cent. of the population, and they had adopted in one form or another strictly prohibitory legislation. But it so happened that under the Interstate Commerce act the Congress had enacted very elaborate and carefully thought out legislation, and that that legislation had been upheld by the courts.

Liberty for Each State

Therefore the way was open, as it appeared to me, to give equal liberty of action to every constituent State, leaving the Congress of the United States to protect the general interests under the authority of the Interstate Commerce clause.

Now, let me go back to the proceedings in the Senate of the United States:

> On March 17, 1914, a great fundamental law, the incarnation of the public sentiment and moral force of 90,000,000 people, was passed. And very law should be enforced, and enforced in every line and letter so long as it remains the law. Violation of law is bad of itself. It is bad for people to live in open defiance of its constitutional law. For a whole nation to witness the flagrant evasion of their charter of Government is to breed in them open defiance of every right.

And I agree with every word of it, Senator Borah. And again, on the same day:

When you take away from the people the intiative, the right to determine for themselves such questions as are local, when you remove from their shoulders responsibility, you take from the people all interest in public questions and even what is exemplified in the history of every republic that ever existed on the face of the earth, a republic in form only, governed and controlled at Washington, while the masses of the people look on. I am in favor of preserving enough liberty for local self-government.

Senator Borah, I agree with you.

A Conflict of Laws

Not only is that constitutional principle fundamental, but, in the second place, the Eighteenth Amendment represents the worst possible way of attempting to deal with the evils of the liquor traffic and the saloon. No worse way has been devised by any people, and the result can be read by any man or woman of intelligence every day in the year.

We talk of law enforcement. You cannot enforce conflicting laws—something must give way; and, when it is the Eighteenth Amendment and the legislation based upon it on the one hand, and the whole body of the Constitution, the Bill of Rights, the whole of political English and American history on the other, which do you suppose will have to give way? It must be this new and invading element in our public law.

Shooting of Lawyer Is Cited

Let me read you an incident—if time permitted I could read fifty—that moves me very deeply. On June 1, 1925, the Chief Justice of North Carolina, in an address to the bar of Wake County, assembled in Raleigh said:

The best friend you have is the law of North Carolina. It protects you the day you are born; it surrounds you and shields you as long as you live, and it stands sentinel and guard at your tomb.

In this sonorous phrase we have the theory of the law.

On June 1, 1925, in Wake County, one mile from Raleigh, a sergeant of the plain clothes department of the city police, in the presence of the Chief of Police, without warning shot and killed S. S. Holt, a prominent lawyer from an adjoining county, as he was returning home from arguing a case in the United States District Court. The only justification advanced for the officer was that Holt's car had stopped for a moment on the roadside and this made him jump to the conclusion that it was carrying liquor, a judgment, as the event proved, entirely unjustified by fact. In this cold-blooded taking of human life we have an important phase of the practice of the law. It may have protected S. S. Holt before he was born, it may even now stand sentinel and guard at his tomb, but the vast majority of citizens desire nothing more than to escape from its surrounding and shielding quality as thus admirably exemplified.

Illegal Activities Alleged

Do the people of America realize what is being done in their name, by their agents, under the guise of law enforcement? Do they know the murders, the entrapments, the solicitations to crime that are recorded almost hourly? Do they know that an agent of the Government of the United States had the colossal impudence to register himself at the Mayflower Hotel in Washington as Theodore E. Burton of Cleveland, Ohio, a member of the House of Representatives, formerly a Senator and Chairman of the last Republican Convention, and for weeks to spend public money in an effort to debauch members of the staff of that hotel, to lead them into crime and to induce them to commit crime?

Do you realize that every word of that, including his bill of expense, has been spread upon the records of the House of Representatives and that Congressman Tucker of Virginia moved to amend the next Urgent Deficiency Appropriation bill by making such use of public funds

illegal, and the House of Representatives, in Committee of the Whole, voted that down?

Enforcement Declared "Shocking"

Your representatives have formally voted to spend your money and mine to induce people to commit crime, to lead them into crime, and they are doing it every day and every week. I question whether the whole history of civilization presents anything so shocking and so shameful to the moral sense and to the patriotism of an American.

The only hope and the only cure is the repeal of the Eighteenth Amendment. There is no use in talking about the tinkering with the Volstead law, about seeking for one form or another of nullification, although nullification has become perhaps the convenient and the cowardly American method of dealing with laws which we do not like.

I observe that some of our friends in the Senate and House from the South are very much concerned about law enforcement. One of them who, to my great sorrow, has recently lost his seat through no fault of mine, Congressman Upshaw of Georgia, who spent a great deal of his time in asking that I be deported—if you ask him to enforce the Fifteenth Amendment or the Fourteenth, he would have paralysis.

"Law Enforcement Coward's Retreat"

Why, if we enforced the Fourteenth and the Fifteenth Amendments that voluble gentleman instead of occupying for some years a seat on the floor of the House of Representatives would have been spraying a boll weevil on a plantation. No, law enforcement is the coward's retreat. The man who dares not face the issue talks about law enforcement, knowing perfectly well what he means and what Abraham Lincoln pointed out seventy-five years ago on nullification.

"Must all the laws go unexecuted," said Lincoln, "and the Government itself be in danger in order that this one law may be enforced?"

Times have not changed. What Lincoln saw seventy-five years ago was a Georgia cotton plantation. And you could not state better the whole principle that is involved than it was stated by President Coolidge in his notable address on the limitations of law, delivered at the American Bar Association at San Francisco, Cal., Aug. 10, 1922, when he was Vice President of the United States.

Here are his own words, put with that simplicity and directness that are characteristic of his style:

> There is danger, disappointment and disaster unless there be a wider comprehension of the limitations of the law. The attempt to regulate, control and prescribe social conduct and relations is very old. It was always a practice of primitive peoples. Such Governments assume jurisdiction over the action, property, life and even religious convictions of their citizens down to the minutest detail. A large part of the history of free institutions is the history of the people struggling to emancipate themselves from all this bondage.

And listen to this from the man who is President of the United States:

> Real reform does not begin with law. It ends with a law.

Doubts Party Will Act

The attempt to dragoon the body when the need is to convince the soul will end only in revolt. And it has. Now, if you ask me, will the Republican Party demand the repeal of the Eighteenth Amendment in 1928? Speaking with the utmost conservation I should have to express a doubt. But if you ask me should I demand that repeal, I do not hesitate for a moment.

I was born in a Republican household. I grew up when the name of Lincoln was still upon every lip and when the heroes of the Civil War had their pictures on the wall of every household. I was an active member

of the Republican Party organization in my county and State before I was able to vote. In 1886 I was sent by my county as a delegate to the Republican State Convention of New Jersey. I was put upon the Committee on Resolutions. I cast the eleventh and deciding vote in that committee, forty-one years ago, for a declaration against the liquor traffic and the saloon, and I have been fighting them ever since.

But we have taken absolutely the wrong method and we are now face to face with a nation-wide illegal traffic, and the nullification of a great national law.

Sees Challenge to His Party

Why should not the Republican Party reassert its moral leadership, undertake the restoration of the Government of the United States established by the Constitution and repeal this amendment, not as an end in itself —that would be negative—but as the first step toward a direct, a constructive and a successful handling of this great social problem?

Rrepeal the Eighteenth Amendment and you go back to the State laws as they existed in 1919. The Interstate act control is still upon the statute books. For my part I should ask the State of New York, and thousands and tens of thousands of us would do the same, to institute some system based upon the principles which have been so successful in Scandinavia and in Quebec.

Those are the absolute abolition of the private traffic in intoxicating liquor, the absolute abolition of the saloon, and the sale of liquor in limited quantities and small packages for private and domestic use. In the State of New York we could accept, obey and enforce that law, and we should be on the way toward that progress in temperance which we were happily following when 1919 and 1920 came upon us and this tremendous débâcle overtook us.

Points to Peril in Evasion

Remember the danger that confronts a party that has no courage. The condition is very similar, strangely similar, to 1850 and 1852. The Clay compromise of 1850 was hailed as settling the question of slavery forever. All the politicians said then, as they say now, "Hush, hush, don't mention this subject. There is a difference of opinion among us. Keep perfectly quiet. Demand the enforcement of the Clay compromise. Stand for the enforcement of the law."

When the convention of 1852 met the Whig Party did not dare nominate Fillmore because he had been for the Clay compromise. They did not dare nominate Daniel Webster, because his seventh of March speech had alienated so many supporters in the North and West. So they passed a law enforcement plank. They nominated the colorless Winfield Scott, who had absolutely no record on the subject. They carried exactly four States in November and went out of existence. Can men learn?

Fight to a Finish on, He Asserts

Mr. Chairman, the fight is on, and it is to be a fight to the finish! The battle will be fought by men, no manikins; with principles, not platitudes.

No matter what may be the evasions and silences of party platforms, no candidate for high office will be permitted to shelter himself behind the papier-mâché breastwork of law enforcement. He will have to stand up and declare whether he is for the Federal Union established by the Constitution or against it; whether he is for the forbidden and abhorrent Eighteenth Amendment, which has been forced into the Constitution, or against it; whether he is for freedom of religion, of speech and of the press, of the rights of assembly and petition, or against them; whether he is for the right of the people to be secure in their persons, houses, papers and effects against unrea-

sonable search or seizures, or against it; whether he is for the principle that no man should be subject for the same offense to be put twice into jeopardy of life or limb or deprivation of life, liberty or property without due process of law, or against it; whether he is for the preservation of the rights retained by the people, or against it; whether is he for the protection of the powers reserved to the States respectively and to the people, or against it; in short, whether he is for an indestructible Union or indestructible States resting upon an historic Bill of Rights, or against it.

BRIEF EXCERPTS

A "dry law" is a joke unless at least four-fifths of the people regard liquor as a social blight.—*Edward A. Ross. Civic Sociology. p.* 327.

The annual consumption of hard liquor is twice as great as before the Volstead era.—*William H. Stayton. North American Review.* 221: 595. *June,* 1925.

The enforcement of the Volstead Act is a farce.—*Judge Charles C. Nott, Jr. Court of General Sessions, New York City. Scribner's Magazine.* 79: 543. *May,* 1926.

It is doubtful whether there is any social reform so important as to justify the abandonment of our tradition of local or state control in such matters.—*Jerome D. Greene. Atlantic Monthly.* 138: 527. *October,* 1926.

The use of alcohol favors the elimination of the unfit, and promotes the improvement of the stock; and the elimination of alcohol is injurious to the race.—*Dr. Charles L. Dana. North American Review.* 221: 617. *June,* 1925.

Speaking of the students as a whole in Pittsburgh, I would say that conditions now are very much worse socially than they were before prohibition.—*Samuel H. Church, President, Carnegie Institute. Senate Hearings.* 1926. *p.* 600.

Yet the incorporation of this reform [Prohibition] in the Constitution settled nothing. Indeed it unsettled the Constitution more than it settled a national policy or promoted prohibition.—*Editorial. New Republic.* 48:285. *November* 3, 1926.

You can get a drink in any community in the United States at any time—if you want it. It is physically impossible to enforce prohibition.—*Chief Justice John P. Dempsey of Municipal court of Cleveland. Cleveland Plain Dealer. March* 18, 1926.

The attempt to enforce the prohibition law has led straight into a sink of corruption, made all the enforcement agents suspects, while the bootleggers have flourished beside them like a green bay tree.—*Editorial. New York Times. April 7,* 1926.

Prohibition has provoked and in part justified a revival of dogmatic anti-federalism, and so long as anti-federalism seems to be in the ascendant, progressive politics in America will suffer from the lack of an indispensible instrument for the realization of its purposes.—*Editorial. New Republic.* 48:234. *October* 20, 1926.

The wise legislator in a democracy will not attempt to impose by law any special program, however desirable in the abstract, that will not receive general support of the people, if for no other reason than that such attempt will in practice be found unworkable.—*William E. Dever, Mayor of Chicago. Atlantic Monthly.* 138:519. *October,* 1926.

That the maintenance inviolate of the rights of the States, and especially the rights of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends—*Republican National Platform.* 1860.

A study of the statistics of insanity in New York state, as furnished by the annual volumes of the State Hospital Commission, shows that insanity in this state has not been advantageously affected since the year 1917. If anything, there has been an increase in mental disease since that date.—*Charles L. Dana. North American Review.* 221 : 616. *June,* 1925.

When the prohibition laws went into effect there were 34 distilleries in the United States employing 1380 men. Since then the Federal Government alone has seized 40,675 distilleries up to June 1924. Probably the states, forty five of which have enforcement laws of their own, have seized as many more.—*William H. Stayton. North American Review.* 221 : 592. *June,* 1925.

The United States Department of Agriculture recently published a bulletin showing that the wine-grape acreage of California in 1919 was 97,000 acres, and in 1926, 156,000 acres. Prior to 1919, California produced practically all the wine grapes grown in the United States, but since 1919 a number of Eastern and Middle Western States have entered or enlarged their field of wine-grape growing.—*Thomas W. Phillips, Jr. Speech in the House of Representatives. February* 23, 1927.

National prohibition under the eighteenth amendment has bred more interstate discord and more political cowards and hypocrites and has done more damage to the body politic and to our social fabric than anything which,

in my observation at least, has ever entered our national life.—*Albert C. Ritchie, Governor of Maryland. Address at the Boston City Club. April 22*, 1926. *p.* 12.

One of the most disturbing results of our Federal prohibition law is that so many elective officials—national, state, and municipal—are chosen, not for their probity or capacity, not in accordance with national, state, or community needs, but rather because of the attitude they assume on the liquor question.—*William E. Dever, Mayor of Chicago. Atlantic Monthly.* 138 : 521. *October,* 1926.

Unenforceable laws lead straight to lawbreaking. Lawbreaking of one kind leads to others. Lawbreaking of unenforceable laws, or trivial or disrespected or dead laws, leads straight to the habit of lawbreaking and the disrespect for all law. Lawbreaking of one kind may breed a criminal population which will engage in lawbreaking of every kind.—*Richard Washburn Child. Battling the Criminal. p.* 182.

My own opinion has always been that the Volstead Law constitutes a departure from the American principle that federal invasion of the rights of the states is destructive of our form of government, and I think that Congress should turn the subject back to the states, so that each state, with constitutional limitations, may be given the opportunity of settling it in accordance with the wants and needs of its own people.—*Albert C. Ritchie, Governor of Maryland. Literary Digest.* 85 : 8. *April* 4, 1925.

In recent years the making of beer and moonshine whiskey in the private home is expanding at an alarming rate. In the days of the saloon drunkenness touched the family life in the majority of cases only intermittently, but under these later conditions the use of intoxicants has so entered the daily life in many of our homes that

strong and even poisonous liquors are becoming as staple a commodity therein as is the daily bread.—*William E. Dever, Mayor of Chicago. Atlantic Monthly.* 138:522. *October,* 1926.

The prevalence of vice and crime in Chicago has been due to the prohibition law. The profit in beer between one of the Stenson breweries, for instance, which once were running full blast, and the consumer's throat is 1,150 per cent! The profit in hard drinks, like gin and whisky, is 1,660 per cent. That profit has poisoned the politics of city, county, and state. It has produced corrupt officials in many departments of the government.—*William G. Shepherd. Collier's Weekly.* 78:9. *September* 25, 1916.

Twenty years ago criminals who flouted local authorities year in and year out were careful not to bring down upon themselves the heavy hand of the federal government. When Maine declared for prohibition speakeasies continued to flourish, but almost without exception they placated the Washington government by paying federal license fees. It has remained for a new generation of bootleggers to break down Uncle Sam's old prestige and morale. If the government lies down on the job of law enforcement they will become bolder and more arrogant. —*Editorial. Saturday Evening Post.* 197:28. *June* 20, 1925.

Never in my occupation as a Catholic clergyman have I found children drinking hard liquors. I have never found the youth, anywhere from fourteen years old to eighteen or nineteen that drank hard liquors. And now you see children drink. You see them drunk. I have seen them drunk myself. There were a few children found drunk in the schools of the towns, public schools, and had bottles of it in their pockets. Last year there was a girl in the town arrested drunk. About two weeks

ago there was a boy in another small suburban town that was caught on the street drunk. The school-teachers have been complaining about children coming to school under the influence of liquor. Before [prohibition] the men drank. Now the women are drinking and the children are drinking.—*Rev. Francis Kasaczun. Senate Hearings,* 1926. *p.* 424.

Federal prohibition was proposed as a penacea, a cure-all, for all our ills, but after seven years of experiment we are dazed and dumbfounded. Seven years ago the liquor business might be likened to a fire fairly well under control. It was in plain view, its danger was apparent and understood, much water was being turned on it, and it was slowly dying. Seeking to destroy it suddenly a bomb was hurled into its midst, but instead of having the desired effect, the fire was scattered, and is now burning in the garret and garage, in homes, and behind hedges, in cellars, and secret places. The greater the evil that one considers liquor, the greater should be his condemnation of prohibition, because instead of confining it, restricting it, exposing it, regulating it, or prohibiting it, prohibition has scattered it. Its advocates do not now refer to their former predictions, but demand more police, greater penalties, larger penitentiaries, bigger appropriations and additional courts in order to enforce it.—*Thomas W. Phillips, Jr. Speech in the House of Representatives, February* 23, 1927.

NEGATIVE DISCUSSION

ECONOMIC PHASES OF PROHIBITION[1]

The American people got tired of the "overhead" of liquor and abolished it because of this "overhead." Many things must be included in this, but the principal factors were loss of wages from time lost due to drink; reduced production for the same reason; decreased consumption of legitimate commodities because of money spent for drink; increased pauperism, insanity, death rate, and the many other evils due to the saloon. A campaign of education had been working for over forty years, and with each new generation the number of those opposed to the liquor traffic increased. Finally the war brought prohibition into being probably sooner than it would normally have come, and this left a section of the population opposed to it. It was a social experiment on a large scale and there were no guide posts to go by. The road was uncharted and of precedent there was nothing. This should be taken into consideration when judging the first few years of its operation.

It is small wonder that mistakes have been made, but they are not being made twice. There was no co-ordinated plan of enforcement, and some communities and states would not co-operate with the Federal Government. There was the evil of smuggling by boat, by auto and hydroplane. This has been greatly reduced and will in time become negligible. Then there was the diversion of industrial alcohol, leaks from bonded warehouses, abuse of sacramental wines, and moonshine manufacturing on a commercial scale. These evils are being uncovered and

[1] By General Leroy S. Upton, U.S.A. *Manufacturers' Record.* 90: 89-92. November 11, 1926.

the amount of liquor coming from these sources gradually reduced.

It will be shown later that the consumption of alcohol has been reduced to a fraction of its former amount, this in spite of the difficulties and errors of the early enforcement efforts. When all the difficulties which have hindered the early work of enforcement are considered, it is remarkable that so much progress has been made. With a gradual improvement in the laws, and a coordination of all activities in their enforcement, the efficacy of enforcement and its economic benefits will increase, and as these economic benefits of prohibition are better known, opposition will fall away, until eventually most of it will be from the criminal classes.

The first economic fact to consider is that a dry nation is a consuming nation. One European nation spends annually on its drink bill $1,500,000,000. That nation has many unemployed. If that nation were dry and this billion and a half of dollars were employed in the legitimate channels of trade, it is plain to be seen that more workers would be needed to produce and distribute commodities worth one billion and a half than are required to produce and distribute liquor of that value. With more workers employed, more wages would be earned and spent, and with more wages spent there would be more business and prosperity, more consumption of legitimate commodities. In consuming $1,500,000,000 worth of liquor yearly many people become drunkards, heavy drinkers, periodic drinkers and moderate drinkers; these people are not as particular as are sober people in what they eat, wear, see and use, or how they live. This lowers their desire for legitimate commodities and lessens their consuming ability for these things. With the consuming ability of a part of its population lowered, the wet nation is necessarily a poorer consumer than a dry one. It is a vicious circle. There is lowered production; lowered wages from time lost to drink; lowered consump-

tion; lower demand due to lowered purchasing power; lowered wages due to unemployment, and lastly, lowered chance in the world's market due to higher cost of production, a result of the "overhead" of drink.

Prior to the World War the army was occasionally called on to bring order in strike areas. Martial law was generally declared, and the first act was to close all saloons and prevent the entry of liquor into the area. As soon as this was done an increase of production of around 16 per cent was noted. The last example of this before the war was the Colorado mine strike at Trinidad and Canon City in 1914.

In order to arrive at correct conclusions we must compare the conditions before prohibition with those under it. The following testimony from several cities in the different states shows conditions before prohibition; these illustrations could be increased indefinitely if necessary:

David McLain, who rose from a day laborer in foundries to the position of the foremost authority on foundry practice in the United States, describes the conditions under which he worked as a young man: "It was a tough, hard-swearing, hard-drinking bunch I grew up with in those Pittsburgh foundries. On Saturday nights the barrooms were jammed to the doors. There were fist fights and knifing. On Mondays there were so many soreheads and hangovers at home that hardly a foundry had enough men to operate. The working week actually began on Tuesday, and it usually took the bunch two days to sober up after a holiday." This will give an idea of the economic loss of wages and reduced production in one industry due to liquor before prohibition took effect.

W. T. Beatty, president of the Austin Manufacturing Company, Chicago, wrote in 1922:

> When I see the long row of doggerel saloons that partially surrounded our own and other factories but a year or two ago and think of the low-browed gang that contended with our working men for their wages before they could get home with them to their families, and the scenes of violence

and crimes of every sort which occurred on pay nights, I am amazed that any decent intelligent man should want to return to such conditions.

R. H. Scott, general manager of the Reo Motor Car Company, says:

Under the open saloon plan, large numbers of our employes would be absent from one to three days following each pay day. This left many machines idle, and disorganized our production to such an extent that provision had to be made to make up for the inefficiency of the employes who were absent on account of drunkenness. This added an extra cost to manufacturing, both from the slowing up of production and lowering the quality of work produced.

F. N. Briggs, president, Interstate Trust Company, Denver, Colo., writes:

I am not only in the banking business, where I can observe the financial effects of prohibition, but I am in the manufacturing business, where we employ large numbers of men. We used to be constantly annoyed and our business interfered with after pay day by drunkenness and absenteeism. Under prohibition we have neither.

D. Seltzer, general manager, Ohio Cultivator Company, Bellevue, Ohio, writes:

We have now (1922) in our employ a number of men who were habitually off from one to three days after each pay day and their records now show that they have missed practically no time for over a year.

Henry M. Leland of Detroit, head of the Cadillac Motor Car Company up to 1917, says: "For years previous to the passage of this Amendment (Eighteenth), on each Monday morning there were from three hundred to five hundred men absent endeavoring to sober up from the effects of the Saturday night and Sunday drinking and debauchery. This was a most serious and difficult situation to handle and keep the plant operating advantageously." When the Amendment was adopted, Mr. Leland was head of the Lincoln Automobile Company. Of this period he says: "Immediately after it (Eighteenth Amendment) went into effect, this Monday morn-

ing delinquency was entirely eliminated. Monday morning became like any other morning—the men all at work."

The following extracts are submitted as to conditions since prohibition was adopted.

Eugene M. Foss, former governor of Massachusetts, says:

> As a manufacturer and a large employer of labor, I see daily the great benefits which are accruing to the workingman and his family. For the most part the laborer is letting liquor alone.

S. S. Kresge, president of the S. S. Kresge Company, says:

> There is no earthly use for the manufacture and sale of liquor as a beverage, and all conditions for betterment are improved without this business.

J. J. Phoenix, president of the Bradley Knitting Company, says:

> The benefits of prohibition have so far exceeded the expectations of the friends of prohibition that there seems to be no question as to the economic value of our position on the Eighteenth Amendment.

An Associated Press dispatch from Cardiff, Wales, February 3, 1925, says: "Prohibition has increased the efficiency of American workmen by 20 per cent," says a report by Simms & Coventry, Ltd., tinplate manufacturers, on the state of the Welsh tinplate worker in 1924. The report adds that " this factor must be taken into consideration if it ever comes to clear-cut competition between the American and British tinplate workers." The report continues: "It is fashionable in some quarters to laugh at Prohibition, but this calculation seems to suggest that, rather than a laughing matter, it is a factor of very real importance."

E. J. Buffington, president of the Illinois Steel Company, credits the prohibition law with being one of the principal causes of a new steel production high record in March, 1925. Mr. Buffington gives the following addi-

tional evidence: "The men, because of prohibition, are more contented, and homelife is improved. The women tell us that they receive more money for the home and for clothing and for other domestic uses, and everybody seems to be happy." "Our opinion of the influence of prohibition upon our employes is that the employes report for work with greater regularity, resulting in a decrease in the percentage of labor turnover; that the average efficiency of employes has increased; that personal injuries, due to accidents at the mills, have decreased, and the average economical condition of employes' families is improved."

In October, 1925, David Lloyd George, in a speech in London, referring to the condition of prohibition in America, said: "One hundred and ten millions of people do not continue to make fools of themselves for long. They are the most prosperous people under the sun, not because they have the gold but because they have not the drink."

A special correspondent of the Dundee (Scotland) Advertiser was sent to the United States and Canada in 1925, and covered 15,000 miles in investigating the results of prohibition. He summed up his conclusions by saying that: "A great part of public opinion must come inevitably to the conclusion that, by and large, prohibition has brought untold good to America." He continues: "Speak to the wives of the workmen and hear their story, and you will soon be convinced of the benefits of prohibition. Discuss the matter with the captains of industry and you will very speedily be satisfied that, from the business point of view, prohibition is a paying proposition."

"Drunkenness, instability and great economic loss caused by old time liquor traffic have entirely disappeared. I am in favor of protecting the workers of the nation, their womenkind and their children, even if the cost is to be the deliberate and willing suicide of the few."—Geo. M. Verity, president of the American Rolling Mill Company, Middletown, Ohio.

"Employes that formerly wasted a portion of their wages in drink are better workmen, not liable to become agitators,

and are better husbands, fathers and citizens."—W. H. Cowdery, president of the American Fork and Hoe Company, Cleveland, Ohio.

"My work for the past twenty years has been altogether with the cotton-mill operatives of the South, and I can testify that prohibition has been a great thing for them."—L. P. Hollis, Superintendent, Parker School District, Greenville, South Carolina.

The following testimony is from the presidents of three of our largest railroad systems:

"From the standpoint of railroad operation, the Eighteenth Amendment has been very helpful to us, as it has reduced greatly drinking among our rank and file in spite of the bootlegging, which is going on."—W. B. Storey, president of the Atchison, Topeka and Santa Fe Railway System, Chicago, Ill.

"I believe to any fair-minded person it would be a self-evident fact that train operation could not be made safe if employes were permitted to use intoxicating beverages."—Charles Donnelly, president of the Northern Pacific Railway Company, St. Paul, Minn.

"I believe that in our efforts towards sobriety on the part of employes we have been greatly aided by the national prohibition laws."—Carl R. Gray, president of the Union Pacific System, Omaha, Neb.

Other large employers of labor all over the United States are unanimous in testifying as to the economic benefits of prohibition.

A striking example of this economic gain is given by a tabulation of the sales of the Woolworth, Kresge, Kress and McCrory 5 and 10 cent stores, published in the Wall Street Journal, May 20, 1926. Woolworth sold $1,103,874,036 in the six years since prohibition was adopted, compared to $557,483,088 in the last six years prior to prohibition. Kresge, in the same periods, sold $450,200,879, compared to $172,505,514; Kress, $208,-387,644, compared to $103,424,604; McCrory, $124,913,-377, compared to $46,256,091. Woolworth's sales in 1925 were 42 per cent of the total sales for the six years prior to prohibition, Kresge's were 61 per cent, Kress' 44 per cent, and McCrory's 64 per cent. The six years prior to prohibition embrace the period of the World War and also our entry into it. Wages were high and employment

plentiful. The saloon was open. The six-year-period since prohibition includes deflation years of 1920-21-22, when business was not good. The saloon was closed.

It must be admitted that the bulk of the sales in the 5 and 10 cent stores is made to the laboring people, and the enormous increase in sales reflects the greatly improved economic condition of our workers and their families. This is further proved by the almost unanimous report of our educators that the condition of the children of the working people, as shown in their schools, has vastly improved since prohibition went into effect. They are better dressed and better fed, which shows that the economic condition of their parents has improved.

Prior to prohibition, our annual drink bill cost $2,500,000,000, and we consumed an estimated 167,000,000 gallons of alcohol per annum in all forms of drink. Prohibition has reduced our annual consumption of drink to a fraction of its former amount. Some claim that the consumption has been reduced to one-tenth. The Treasury Enforcement officials estimate that it has been reduced to less than one-third. This means that over two-thirds of the cost of our annual drink bill has been diverted into the legitimate channels of trade. Our over $1,600,000,000 now is spent for the various things we use in our daily life instead of for liquor. As before stated, it takes a relatively small number of workers to manufacture and distribute $1,600,000,000 worth of liquor, while it takes many more to produce and distribute that value of legitimate commodities. This means that prohibition has increased employment, and, as previously shown, prohibition has increased the output of all employment, because it has increased production.

If this argument is not convincing, let us reverse the operation and withdraw $1,600,000,000 worth of business in legitimate commodities from our present annual turnover. Would this withdrawal lessen our present prosperity? It would. It would not only lessen our legiti-

mate business by the amount stated, but the consumption of $1,600,000,000 worth of liquor would lower our production. This would still further adversely affect our present prosperity.

That section of the press which is fighting prohibition and dwelling upon its miscalled "horrors," is making more money now than formerly, and is having its share of our present prosperity. It is unwittingly arguing and working against its own best interest. Speaking of "horrors" of prohibition, there are none. The wet press is trying to pin the "horrors" of liquor on the wrong party. These "horrors" belong solely and exclusively to liquor and its consumption, and prohibition has nothing to do with them; in fact, they diminish in exact ratio as prohibition becomes effective and will disappear entirely when no more liquor is drunk. When that stage is reached prohibition will be 100 per cent effective, and the "horrors" of drink will be zero.

According to the figures furnished by the Census Bureau, our reduced liquor consumption has reduced the death rate, which was 13.92 immediately prior to prohibition, and in 1924 was 11.9, and in 1925, according to the Census Bureau's estimates, it will be shown as still less. With a reduced death rate there is an economic gain, for only live people are producers and consumers.

According to the latest Census Bureau estimate, our pauperism ratio is now the lowest in our history. This indicates an economic gain, for paupers are a liability, not an asset.

Prior to prohibition it was claimed that the hotel business would suffer without the bar. John McF. Howie, president of the Hotel Touraine in Buffalo, N.Y., says: "It can be stated without successful contradiction that the hotels of the country, as a whole, are better off since prohibition came. By better off I mean that hotels are rid of a nuisance which at times was a menace—that of drunkards on the premises."

The assistant manager of one of New York's largest hotels told the writer that without the bar the hotel was making more money than before; that the space devoted to the bar now brings a higher return from specialty shop's rental and the hotel is spared the cost of damaged beds, bedding, carpets, draperies, wallpaper and bathroom fixtures due to drunks.

The Hotel Sinton, one of Cincinnati's leading hotels, turned its bar into a candy store and soda fountain, and its grill with bar into a cafeteria when prohibition came. Since this change the cafeteria has earned more money than the grill with bar, and the candy store has exceeded the bar's earnings by a large margin. The cafeteria now employs 125 to the grill with bar's 40, an increase in employment of over 200 per cent. The candy shop employs 76 to the former bar's 12, an increase of over 500 per cent. The hotel formerly employed 550 people in all; it now employs 700—*27* per cent increase. Prohibition has brought greater earnings to this hotel and has brought greater employment of labor.

Thirty-three years ago the writer used to patronize a German restaurant and saloon in Niagara Falls. Four years ago I found this saloon turned into a confectionery store and soda fountain. The same owner was there. He said he was making more money than with the saloon. He was also employing more labor.

The testimony of all large employers of labor is that prohibition has increased production.

In 1925 350,000 American workmen made 4,157,830 automobiles and trucks—11 6-7 vehicles per man per year. One European country produced 30,000 cars with 100,000 men—.3 car per man per year. The American worker produced over thirty-nine times as much as the European worker. There are many factors which influence the American worker's greater productivity. Prohibition is one factor, because it has increased production.

One of the largest property owners in Baltimore told

the writer recently that he used to take his life in his hands in collecting rents from the working classes in houses, as rent-collection visits followed pay day. This was before prohibition. The damage to his property, due to drink, was very heavy. People used to chop up the doors in his houses for fuel. When asked if conditions had improved since prohibition took effect, he said that they had improved 1000 per cent.

Clifford Gordon of Australia, in a letter to the New York Times, told how he came to the United States and spent eighteen months traveling 30,000 miles in this country and 5000 miles in Canada. He avoided prohibition authorities and confined himself to judges of courts, police, business men, great employers of labor, prison officials, etc. From the records of the New York Health Department he found that the deaths from alcohol poisoning were, in the last four wet years, 2061; in the first four dry years they were 835, a decrease of 1226. He found that the sixty-six alcohol institutions belonging to Dr. Neil of Los Angeles had been put out of business by two years of prohibition; that in these institutions 125,000 alcohol patients had been treated in twelve years prior to prohibition; that the largest alcohol institution in the United States, owned by Mr. Keely, in Dwight, Ill., is now leased to the Government as a hospital for disabled soldiers.

Ten thousand alcoholic patients annually incapacitated for work, due to liquor, in one section of the country alone shows what an enormous economic loss the whole country must have suffered from the alcoholic patients, and with these alcoholic patients returned from idleness to productivity a great economic gain has been effected Prohibition must be given credit for this gain.

The life insurance companies and their agents report an enormous increase in business since prohibition took effect. The agents report that their collections are very much prompter and that there are fewer lapses of policies

than formerly. The life insurance companies are making more money, due to prohibition.

The United States is enjoying great prosperity in spite of the fact that the economic condition of the world in general is not good, and in spite of the fact that the economic condition of a large section of our population, namely, the farmers, is bad. These facts are additional proof that prohibition is largely responsible for our prosperity in spite of these handicaps.

The above are dry facts. From what has been presented, it is plain that the economic gain due to prohibition is enormous. Professor Fisher of Yale estimates this to be a total gain of $6,000,000,000 annually—that is, six thousand million dollars to be placed on the credit side of the ledger every twelve months, or five hundred million every month. It will take a lot of wet "ballyhoo" to explain away these facts.

Prohibition, even faultily enforced, and with a large section of the population opposed to enforcement, has more than justified itself from an economic standpoint alone. Conditions will improve, and a few years from now most of those at present opposing it will see the light and acknowledge its benefits.

PROHIBITION AND SINCERITY[2]

In view of the letters of commendation received for my article on "Prohibition and Crime"[3] in the Handbook on Prohibition, and in view of the fact that since that book was published the liquor interests have very largely shifted the ground of their attack on prohibition from a demand for 2.75 beer to fancy arguments about States' Rights, I submit the following statement for the book supplemental to the Handbook.

[2] Written especially for this volume by James McIntosh, president McIntosh Engine Co., 2964 Corydon Rd., Cleveland Heights, Ohio.

[3] *Prohibition: Modification of the Volstead Law.* (Handbook Series) H. W. Wilson Co. 1924. p. 352-62.

It is obvious that back of all the agitation for the modification of the Volstead Act are the liquor interests who finance the publicity and keep the agitation alive. If any one has the slightest doubt of this, let him read the statement inserted in the Congressional Record on December 17, 1926, by Grant M. Hudson as an extension of the remarks made by him on the floor of the House of Representatives on December 11, 1926.[4] It is equally obvious that their motive is purely and meanly selfish. They want the liquor traffic legalized again so they can make easy money, for they are perfectly willing and anxious to poison their neighbors if they can make money by doing so. It is also very obvious that the liquor interests are insincere and hypocritical in most of the arguments and utterances by which their paid propaganda and subsidized newspapers attack prohibition.

The liquor interests pretend to be shocked because they claim to believe that more of the young people are now drinking alcoholic liquor, but it was only a few years ago that these same liquor interests were using every possible effort, lawful and unlawful, to get young people into the habit of drinking alcoholic liquor. By dishonest and fraudulent advertising such as "The Beer that Builds," by music and free lunches in saloons, by pool tables and other club features as adjuncts to saloons, by combining with immoral houses, by all the arts and wiles of pretended good-fellowship, and even by passing free samples of liquor among school children,[5] the liquor traffic has for generations used every device to lure young people into saloons and to get them to acquire the alcohol habit, simply and solely to debauch and ruin them, to make customers and victims of them, for the financial benefit of the liquor interests. Ten years ago the saloon was denounced on the floor of the United States Senate

[4] Reprinted in part in this volume.

[5] *See* Beman. *Prohibition: Modification of the Volstead Law,* p. 43-5.

as "a trap for the young."[6] Is it not, therefore, disgustingly insincere and hypocritical for these same liquor interests through their paid propaganda to pretend to be shocked and horrified if they hear of an occasional young person drinking liquor.

The liquor interests also claim to be shocked because the Volstead law is being violated, but this is all obviously insincere and hypocritical, because it is the liquor traffic that is now violating the Volstead law, and because the liquor interests never obeyed any law. For example, just to cite one case, when Newton D. Baker was Mayor of Cleveland, in 1912 and 1913, practically every saloon in the city was wide open and doing business all day Sunday and all Sunday evening in direct violation of the state law.[7] The Baptist Brotherhood of Cleveland investigated the situation carefully, got affidavits, went to the Mayor who was coldly evasive, and then to Fred Kohler, the Chief of Police, who was coarse and abusive, who refused to enforce the law, and who threw their affidavits into his waste basket right in the presence of the committee. The saloons of Cleveland continued to be open on Sundays in violation of the law, and the same was true in many of the other cities. It would not be a difficult matter to give a hundred other examples of the well known fact,[8] that the liquor interests have never obeyed any law, so that for them to pretend to be shocked at the violations of Volstead law is simply the most disgusting hypocracy.

Hypocritical and illogical are all the attempts of the liquor interests and their paid spokesmen and subsidized newspapers to prove that prohibition is the cause of crime and lawlessness. On this phase of the question I wrote in my article in the Handbook, and will not repeat what I said there, but when one reads such an utterance as that

[6] *Congressional Record.* 55: 5639. August 1, 1917. Speech of William S. Kenyon.

[7] *See* Beman. *Prohibition: Modification of the Volstead Law.* p. 50-1.

[8] Beman. *Prohibition: Modification of the Volstead Law.* p. 33-51, 79, 90, 93, 101, 102, 103, 105, 328, 351, 352.

of William G. Shepherd, that "The prevalence of vice and crime in Chicago has been due to the prohibition law." [9] he cannot fail to point out that it is false, childishly false, and entirely misleading. Was there no crime in Chicago before the Volstead Act was passed? Back in 1915, several years before the Volstead law was enacted, the Committee on Crime of the Chicago City Council said in their formal report, [10] "There are in Chicago a large number of 'hangouts' which are the meeting places of well-known professional criminals. The committee has found one hundred of these, most of which were saloons and poolrooms." No. Crime in Chicago did not begin with the enactment of the Volstead law. Mr. Shepherd, in this same article, seems to leave the impression that the corruption in the city government of Chicago is due to prohibition. Possibly he does not know that it was in 1906 H. G. Wells, the eminent English writer, visited Chicago, met Hinky-Dink, otherwise known as Honorable Michael Kenna, a Chicago Alderman, visited both of Mr. Kenna's downtown saloons, and then declared, "I would as soon go to live in a pen in a stock-yard as into American politics." [11] Possibly Mr. Shepherd never read Lincoln Steffens' article on corruption in Chicago, published in McClure's Magazine [12] and reprinted in Mr. Steffens' book, "The Struggle for Self Government." [13] If he would read both of these, I think even Mr. Shepherd's vision would be extended so he could see some of the basic causes of crime and corruption in Chicago.

In the flood of dishonest propaganda that is spread over the country by the liquor interests the statement is often made that crime has been increasing since the adoption of the Volstead Act, and this statement is "proved" by unofficial and questionable figures on arrests

[9] *Collier's Weekly.* 78: 9. September 25, 1926.

[10] Report of the City Council Committee on Crime of the City of Chicago. 1915. p. 10.

[11] Wells, H. G. *The Future in America.* p. 130.

[12] *McClure's Magazine.* 23: 395-408. August, 1904.

[13] Steffens, Lincoln. *The Struggle for Self Government.* p. 40-78.

for drunkenness and fortified by the claim that it is "unchallenged." From this statement they proceed to draw the deduction that it is the violation of the prohibition law (by the liquor people) that has led to disrespect for and violation of all laws. Let us tackle this string of lies at the beginning. The last official figures on the subject of crime in this country are in a book entitled *Prisoners* 1923: *Crime conditions in the United States as reflected in census statistics of imprisoned offenders,* issued by the Census Bureau in 1926. On page 7 is the statement that there were confined in the prisons of the United States, for each one hundred thousand of population, 98.7 prisoners in 1880, 106.7 in 1890, 99.0 in 1904, 107.9 in 1910, and only 94.6 in 1923. Thus in the last official figures we find the statement that the number of prisoners confined in penal institutions of this country, the only index of crime for which official figures are obtainable, is smaller since the adoption of prohibition than it had been for half a century. Since the foundation is now knocked out from under this whole structure of falsehoods, we do not need to bother with the superstructure. Since the official figures show that crime is not increasing, but is actually decreasing, we do not have to explain the cause of the increase.

The liquor interests further claim to be shocked because a few old soaks, alcohol addicts that they made, are now killed by drinking poison liquor. This is also plainly insincere, because every intelligent person in the world knows that all alcoholic liquor is poison, that alcohol is neither food nor medicine, but poison. Back in the heyday of the American saloon many people were poisoned each year by drinking alcoholic liquor.[14] Then it was called acute alcoholism, and I do not recall that I ever heard any distiller or brewer, any saloon keeper or bartender, any paid lawyer or subsidized newspaper, or any other hireling of the liquor interests shed any tears over

[14] Beman. *Prohibition: Modification of the Volstead Law.* p. 56-72.

these deaths, not even any obviously insincere crocodile tears, like we find in some of the pamphlets issued by liquor interests and in some of the subsidized newspapers of today.

Doubly insincere and hypocritical are the liquor interests in their claim, often repeated in their propaganda for many years back, that they believe in temperance, and in their more recent claim that national prohibition has interfered with the temperance movement. They fought and ridiculed the temperance movement from its very beginning, and they had good words to say of it only when everybody saw that it was totally inadequate, and when they saw the prohibition movement gaining momentum and thought they could make use of a pretense of believing in temperance as a smoke screen, a device to becloud the issue. If the liquor interests honestly believed in temperance, then why did the saloons always and everywhere continue to sell liquor to people after they were very drunk? Why did saloons always and everywhere sell liquor to habitual drunkards and to minors? And what do they mean by temperance? What laws or methods will they use to enforce it? Ask these last two questions whenever you hear this dishonest and insincere argument spoken. Their idea of temperance is to repeal the national prohibition law and the eighteenth amendment and to let the murderous and brutal liquor traffic go its way, unrestrained, free to poison and rob the American people.

Possibly the most insincere and hypocritical of all the alleged arguments now advanced in the paid propaganda of the liquor interests is the claim that alcohol is a food and a necessary medicine, and not a poison, and that beer is "wholesome" and nutritious. It is certainly a great relief to me personally and a great benefit to society that there are now on the main thoroughfares no great bill board advertisements about the "beer that builds," as a devise to lure the young and the weak into saloons, and

to be the means of getting them to acquire the liquor habit. How ridiculously and brutally false these advertisements were becomes apparent when we remember that Dr. Edwin F. Bowers has said, "Almost invariably the drink habit is inaugurated through the use of beer," [15] that Dr. Harvey W. Wiley has said, "Young people usually begin to drink with beer or wine," [16] and that Cora Frances Stoddard quotes two superintendents of an institution for inebriates as saying, "Beer and other so-called light beverages institute the drink habit in the majority of cases." [17] But in spite of these well established and generally known facts, the liquor interests still continue their false and dishonest propaganda. For example, in the Hearings before the Senate subcommittee on April 14, 1926, (p. 631) Congressman George J. Schneider quoted Cardinal O'Connell of Boston as saying, "It is grossly untrue to say that pathology and dietetics have brought in a verdict of guilty against the immemorial beverages of the old world." I can not believe that his eminence (or any prince of the church) would deliberately make a false statement on so important a matter, nor is it easy to believe him ignorant of facts now so well established. Let any one who is not familiar with the extent to which science has gone in proving alcohol has neither food nor medical value read the article by Dr. John H. Kellogg in Good Health for June and July, 1926. [Reprinted in this volume]

Two years ago when the Handbook was published the liquor interests were concentrating their propaganda on a demand for 2.75 beer, but now they are devoting their efforts to high flown arguments about States' Rights. This is perfectly in harmony with the old time methods of the liquor traffic, to divert the argument so that attention is turned away from whisky, the saloon, poverty,

[15] Bowers, Edwin F. *American Magazine.* 81: 55. May, 1916.

[16] *Scientific Temperance Journal.* 32: 13. Spring, 1923.

[17] Stoddard, Cora F. *Massachusetts's Experience with Exempting Beer from Prohibition.* 1923.

misery, crime, and corruption to some other issue. That is why the whisky dealers called their organization the Manufacturers and Dealers Association. That is why some years ago they had a referendum on "home rule" in Ohio. Of course it is all indisputably insincere and dishonest, an effort to becloud and befog the issue so as to disguise and conceal mean and selfish motives. Suppose five or ten of the southern states, by an overwhelming vote in a state referendum, should decide that they wanted to restore African slavery within their own state, should they be given the right to do so? Should the thirteenth amendment be repealed or modified to please some few states, or should its enforcement and interpretation be left entirely to state laws and to state officials? If not, what becomes of all this clack about States' Rights?

Through all our history States' Rights has been a false and insincere doctrine, a shame pretense, a smoke screen to cover up real motives, an excuse to perpetuate the most frightful abuses, and a stumbling block in the way of social progress and civic conscience.[18] States' Rights preserved, down to the year 1808, the African slave trade, the stealing and kidnapping of innocent, harmless, and defenseless men, women, and children in Africa to be brought to this country and sold into perpetual slavery. For seventy five years after the adoption of the Constitution human slavery hid behind the thin gauze of States' Rights. For many years States' Rights perpetuated polygamy, wildcat currency, railroad rebates, adulterated food and drugs, the Louisiana lottery, and periodical financial panics that were always followed by a period of hard times; and this malicious and malevolent doctrine now perpetuates illiteracy, child labor, unAmericanized foreigners, over-capitalization and other business frauds, the terrible waste of our natural

[18] *See* Beman, L. T. *States' Rights.* (Handbook series.) H. W. Wilson Co. 1926.

resources, and the sale of the murderous pistol. Through all the century and a half of our national life this unnatural and antisocial doctrine has always been used by mean selfish interests as a prize bugaboo with which to frighten the unthinking, while its most earnest advocates have never hesitated to disregard and ignore it entirely whenever it was to their financial or political interest to do so. On the other hand, great and lasting good has been done the American people by those great landmarks in federal legislation which have swept aside this petty sectional doctrine, and have ended, once and for all, frightful abuses and social wrongs that have shocked the honest conscience and interfered with the social welfare of all our people. Among these great legislative landmarks have been the Thirteenth Amendment, which ended human slavery in the land of the free, one generation after it had been peacefully abolished in the British Empire; the creation of the Interstate Commerce Commission and the abolition of railroad rebates; the outlawing of state bank notes, called wildcat currency, and the creation of a uniform honest monetary system; the National Bank Act of 1863 and the Federal Reserve Act of 1914; the laws preventing food and drug adulteration and those providing for meat inspection; the laws excluding lottery tickets and advertisements from the mails and stolen automobiles from interstate commerce; the Harrison Anti-Narcotic Act, the Mann White Slave Act, and the National Quarantine Act; the uniform national bankruptcy law and the Federal Farm Loan Banks Act; and last, and possibly greatest of all, the Eighteenth Amendment and the Volstead Act, by which the manufacture, sale, transportation, importation, and exportation of intoxicating liquors for beverage purposes are prohibited. Everyone of these great forward steps in our national progress has been viciously attacked under the pretense that it was a violation of States' Rights by persons whose real motive was to protect and perpetuate a

horrible and hideous social wrong for their own financial interest and benefit.

Perhaps the chief reason why the liquor interests have shifted the ground of their attack on prohibition from a demand for 2.75 beer to these sham and hypocritical arguments about States' Rights, has been the demonstrated weakness of their former demand. No intelligent person, and indeed no drinking man, ever thought that the legalizing of 2.75 beer would satisfy anybody. The liquor interests only demanded it as an entering wedge in their efforts to destroy national prohibition. But just across the lake, only sixty miles from where I am writing, is the great Province of Ontario, whose liquor interests were very successful as the result of getting in this entering wedge, and the developments in this province have completely exposed the hand of the liquor interests and have revealed their true purposes. In 1916 Ontario adopted prohibition and the province became bone dry. In 1919 the liquor interests came forward with a demand for 2.71 beer, a "wholesome beverage that would settle the liquor problem," and they were successful in getting in the small end of their wedge. This 2.71 beer was not very much different, either in taste or in effect, from our near-beer, and it satisfied absolutely nobody. In 1925 the liquor interests again came forward with a proposition to legalize 4.4 beer, and they gave the very assuring pledges that this would give the people a "wholesome beverage strong enough to be palatable," and this second proposition was adopted, but even then nobody was satisfied. Then in 1926 the liquor interests once more come forward with a proposal for government control and succeeded in getting it approved by the voters, chiefly because they resorted to the trick of holding the referendum election in the winter when the rural people of that northern province cannot come to the polls in large numbers. The chief argument in favor of this last proposition was that it was impossible under the 4.4

beer law to control the liquor traffic, that bootlegging in ardent spirits was going on all over the province much worse than it had been under prohibition, and that 4.4 beer had failed to satisfy the people. The liquor interests of Ontario are therefore within one step of their final goal. With this very clear object lesson before us, with a full view of the real plans and the ultimate object and purpose of the liquor interests, and with the absolute evidence that neither 2.71 beer nor 4.4 beer will satisfy the drinking people or will end or even reduce bootlegging, nobody is longer fooled by talk about "wholesome 2.75 beer that will settle the liquor question." It is perfectly natural, therefore, that the liquor interests should have shifted the ground of their attack on national prohibition, and should have tried to tie up with some popular prejudice, just as they tried to tie up with home rule in Ohio a dozen years ago.

Public sentiment is shifting and fickle. Back in the fifties a dozen of our states adopted prohibition by state law, but most of them soon repealed it. Beginning with Kansas in 1880 many of the states wrote prohibition into their state constitutions, so as to make it more enduring and to prevent the liquor interests from securing its repeal by any trick or by corrupt methods. For the same reason national prohibition was written into the federal Constitution. Canada does not have a written constitution, so that the liquor interests have found it easier to play their old game there.[19]

Pompous arguments to the effect that prohibition ought not to be in the Constitution, because the Constitution should be only an outline of the framework of the government, are often made by spokesmen of the liquor interests no one of whom has ever become famous as a constitutional lawyer. There is no more reason why prohibition of the liquor traffic does not belong in the Con-

[19] The instrument that is sometimes called the Federal Constitution of Canada is an act of the British Parliament.

stitution than there is why prohibition of slavery does not belong there. The original Constitution recognized slavery in several of its clauses, the third paragraph of the second section of article four, for example, and it specifically perpetuated the slave trade down to the year 1808 in section nine of article one. These provisions are not matters of the framework of the government, but they were in the original Constitution, and were eliminated by the thirteenth amendment. Neither the federal Constitution nor the constitution of any state in the union is limited solely to matters of the framework of the government. Obviously this whole argument is trivial, false, insincere, and hypocritical.

With their demand for States' Rights, that is, to let each state decide for itself whether or not it will obey the federal Constitution, the liquor interests have coupled exaggerated claims as to the amount of drinking now going on, pretending to prove them by misleading figures concerning the arrests for intoxication, and have reached the conclusion that the Volstead law never can be enforced. They quote the immaculate words of Nicholas Murray Butler, from his now famous address to the Missouri Society of New York, on April 29, 1924, when he said, "The reason why the national prohibition law is not enforced is that it can not be enforced." Well, I also hope that Columbia University may receive some substantial endowments from the brewers and distillers. But Mayor Dever of Chicago, who has had years of experience both as a judicial and an administrative official, and whose article in the Atlantic Monthly for October 1926 would lead one to believe that he is a pronounced opponent of prohibition, has said under oath, "If all of the officials, federal, state, county, and municipal would coordinate their efforts in a real purpose to enforce even an unpopular law, they could enforce that law." [20] And

[20] *See Hearings Before the Subcommittee of the Committee on the Judiciary, United States Senate.* 1926. p. 1376.

he further strengthened this statement by saying, "If we can do it in Chicago, of course it can be done in other places in America." He explained that he did not mean "enforced up to the point that it is never broken. All criminal laws, all penal statutes are violated." Otherwise we would not need criminal courts or prisons. If our government cannot enforce its laws, then it is no longer a government. It will be plenty of time to reach a conclusion on that point after a fair and honest attempt has been made to enforce the law. So long as enforcement officers are chosen under the spoils system and the chief enforcement officer, the Secretary of the Treasury, is a former distiller of whisky, the government is not making an honest effort to enforce the law. The chief enforcement officer should be a man who is honestly in sympathy with the law, and all subordinate officers should be chosen on the basis of merit alone. But even with these shortcomings still drunkenness has very greatly decreased. I do not see one drunken man on the streets of Cleveland today where I saw twenty in the days of the saloon. Of course, I know dishonest figures are often published as to the number of *arrests* for drunkenness, but the number of arrests does not show the amount of intoxication, for back in the old days of the saloon power, when the liquor interests were able to violate almost any law with impunity, no intoxicated man was arrested in Cleveland unless he was very disorderly or was caught in the commission of some other crime. Today, on the other hand, the police arrest every orderly drunk they see on the streets. And even under these changed conditions, and in spite of the fact that the population of Cleveland is much greater today than it was eight or ten years ago, still the number of arrests for intoxication in Cleveland is not now as great as it was before prohibition.

On page 29 of the census report on prisoners, above referred to, is this statement, "At each enumeration of

commitments, drunkenness was the leading offense. There was, however, a striking reduction in both the number and percentage committed for drunkenness, the number being only 91,367 in 1923, as compared with 170,941 in 1910, and the percent of total commitments being 25.6 in 1923 as against 35.6 in 1910." On page 31 is the statement that the number of persons imprisoned for drunkenness in 1910 was 185.9 for each 100,000 of population while in 1923 it was only 83.1 or a decrease of 55.3 per cent. Small wonder that the paid propagandists of the liquor interests ignore these official figures and draw their deductions from the unofficial figures of certain scattered cities of their own selection. By these official figures hundreds of pages of propaganda are blown to pieces and thousands of newspaper articles, printed as news items or as the honest opinion of the editors, are shown to be false and dishonest propaganda, bought and paid for by the liquor interests.

The great and far-reaching benefits of national prohibition, in spite of its imperfect enforcement, are so obvious that every honest observer can see them at every hand. Higher wages, increased savings, workingmen enjoying their automobiles, coming back to their work Monday, refreshed instead of bleary eyed and with a headache, women happier and better cared for, children better fed, clothed, and educated, better health, cleaner politics, and America winning the markets of the world because of the greater efficiency of its sober workmen, these are only a few of the great and lasting benefits of the momentous forward step taken when we adopted national prohibition.

THE PROPAGANDA AGAINST PROHIBITION[21]

One has to give the liquor interests credit for certain powers of perception and analysis. They know that

[21] By Allen L. Benson. *Good Housekeeping.* 82: 28-9, 148-62. April, 1926.

while prohibition is the brick that hit them in the pit of the stomach, public opinion is the power that hurled the brick. Being logical gentlemen, they are therefore going about it to change public opinion by bombarding it with propaganda. . . The liquor interests, in this campaign, have told and are still telling every conceivable form of lie, including the most wicked of all lies, the half-truth.

What are the facts? Let us disclose the truth by recalling what were the lies. We were told in the beginning that "prohibition was put over on us while we were in Europe fighting." "We" is good. By the use of a single two-letter word brewers and distillers array themselves in mud-stained khaki and, for purposes of propaganda, become soldiers.

The truth is that prohibition had been coming upon the country for seventy years since Maine first adopted it, and had been established by thirty-three states before the Volstead Act became effective. The further truth is that, in this country, nothing can ever be "put over" upon anybody, no matter where he is. This is a representative government and not a town-meeting democracy. What our representatives do is the law of the land. When our representatives in Congress and the state legislatures created the Eighteenth Amendment, they believed they were doing only what the people wanted them to do. In refusing to repeal it they are also doing what they believe the people want them to do. The liquor interests, in declaring that the people do not want and never wanted prohibition, are not above suspicion that their opinion is colored by their financial interests. The members of Congress who refuse to initiate the repeal of the Eighteenth Amendment or the alteration of the Volstead Act are open only to the suspicion that, no matter how some of them may feel about the matter personally, they believe their constituents are in favor of prohibition. Congressmen, being desirous of returning to Congress, make a specialty of ascertaining what is

dangerous to touch and what isn't. They are not touching prohibition. The majority for it, in each house of the present Congress, is greater than ever. If Congress believed the distillers and brewers were correct in their estimate of public opinion, the Volstead Act would have been repealed before the holiday adjournment, and the Eighteenth Amendment sent to the state legislatures for destruction.

We were told that the Eighteenth Amendment was unjustly enacted because it should first have been submitted to a referendum. Which of the seventeen earlier amendments was submitted to a referendum? The liquor gentlemen do not say. The truth of the matter is that none of them was. The Constitution neither requires such a proceeding nor makes provision for it. All of which the liquor gentlemen know as well as anybody else.

It was also said that prohibition should not be in the Constitution because the Constitution is no place for it. This is one of the many reasons why Nicholas Murray Butler, President of Columbia University, does not like the Eighteenth Amendment.

"It introduces for the first time," said he, "specific and almost unamendable and irrepealable police regulation into a document whose purpose was to set up a form of government and to define and limit its powers."

Prohibition is not, of course, a form of government, nor does it define and limit the powers of a government. But neither is the amendment that prohibits chattel slavery a form of government. And who is it that says a constitution may properly do no more than to lay down the general principles upon which government shall proceed? Nicholas Murray Butler.

Who says the contrary? Blackstone. "The law," said he, "is a rule of civil conduct prescribed by the supreme power of a state, commanding what is good and

prohibiting what is wrong." (A constitution is law, and Blackstone did not limit his statement to statute law.)

Who else? John Locke. "The end of government," said he, "is the welfare of mankind."

Who else? The gentlemen who made the Constitution of the United States. In four places they put into the Constitution words about chattel slavery, which is not a form of government and therefore, according to President Butler, not properly a part of our fundamental law. And, so far as being irrepealable, or nearly so, the Eighteenth Amendment is no more nearly irrepealable than anything else in the Constitution. No more votes are required to get rid of prohibition than are necessary to get rid of anything else in our fundamental law. But whoever would alcoholize the Constitution must first get the votes. There is the rub. They don't exist. The liquor interests are trying to conjure them into being with propaganda. Are they succeeding? Perhaps they think so. The rat that gnawed the file, beholding numerous white chips, thought it was succeeding until toothache occupied its attention. They are certainly making a tremendous din. All along the prohibition line the liquor buglers are sounding "retreat." All is lost, they say, including honor. Profits are lost, too, but they don't say anything about them. Yet down in the depths of public sentiment there is calm. Each succeeding Congress is drier than its predecessor.

"Prohibition is an invasion of personal liberty," so the liquor interests declare. Quite true. But so are the laws against banditry and murder. That is to say, if one calls personal liberty the right to do anything and everything that may occur to the mind of a person. But nothing is truly personal that adversely affects others. And that is what liquor drinking does. Each person who takes a drink does not injure some one, but that is no excuse for permitting him to drink. If every person on Fifth Avenue were permitted to shoot at a mark each shot would

not hit somebody, yet everybody is prohibited from shooting because if everybody were to shoot a good many would be hit. So we say, "No shooting in cities," and nobody says: "I am a good marksman. I never hit anybody else. Just because there are poor marksmen is no reason why I should be prohibited from enjoying a harmless pastime. You are invading my personal liberty."

Does Drinking Hurt Others?

Does drinking hurt others? Abraham Lincoln to the stand!

> Turn now to the temperance revolution. In it we shall find a stronger bondage broken, a viler slavery manumitted, a greater tyrant deposed; in it more of want supplied, more disease healed, more sorrow assuaged. By it, no orphans starving, no widows weeping. . . And when the victory shall be complete—when there shall be neither a slave nor a drunkard on earth—how proud the title of that land which may truly claim to be the birthplace and the cradle of both those revolutions. (From an address before the Springfield (Ill.) Washingtonian Temperance Society delivered on February 22, 1842.)

One bogy man after another has been and is the rule. What was the bogy that, a year or two after the Volstead Act became effective, was sent to whisper in everybody's ear? Why, no other than the bogy about narcotics. Cut off from alcohol, the American people had turned to dope. The ravages of cocaine, opium, and other similar poisons were awful. What might happen to the country in a generation or so was too terrible to contemplate. Better be drunk than drugged was the obvious inference of the propaganda. Yet what were and are the facts about narcotics? Here they are:

"During the last few years," says the report of a committee appointed by the Foreign Policy Association to investigate the matter, "frequent statements have appeared in newspapers and periodicals to the effect that prohibition of alcohol in the United States has led to an alarming increase in drug addiction. With a view to

checking the accuracy of these reports, we communicated with the heads of all government bureaus in touch with narcotic supervision, police directors in representative cities, prominent physicians experienced in the treatment of drug addiction, and prison physicians. Without exception, the replies received state that prohibition has had no effect whatever on drug addiction in the United States."

Who concurred in this report, and for what places and localities did they speak?

Concurred in by Hugh S. Cummings, surgeon general of the United States Public Health Service, and by Lawrence Kolb, a surgeon in the same service.

Concurred in by L. G. Nutt, chief of the narcotic division of the bureau of internal revenue.

Concurred in by Dr. Carlton Simon, special deputy police commissioner of New York City.

Concurred in by Dr. Alexander Lambert of Bellevue Hospital, New York, Dr. T. F. Joyce, New York Hospital, Brothers Island, and Chief Magistrate William McAdoo of New York.

Concurred in by James Sprott, deputy superintendent of police of Detroit, by D. J. O'Brien, chief of police of San Francisco, by Michael H. Crowley, superintendent of police of Boston—and by many others.

That is all there was to the narcotic propaganda—just a lie.

At another point upon the front a tremendous attack is being made upon the youth of the land. The boys and girls of this generation are pictured as drunkards. Prohibition is driving them to destruction.

Of course, it isn't so. One has only to use his eyes to see that it isn't. Dr. Charles Alexander Richmond, President of Union College of Schenectady, N. Y., has testified in behalf of college boys and girls. He says there is less drinking at Union College than ever before, and that "the average boy today is leading a cleaner life

than the average boy of 30 or 40 years ago." The rest of us know what is happening outside of colleges. Boys and girls are not lying in the gutters, nor are they reeling along the streets. How many drunken boys and girls have you personally seen during the last year? I have not seen one. But I saw drunken boys before prohibition. I saw them on street cars—boys of 16 and 18—late in the evenings, coming home from their evening's dissipation. They were not down and out, but they were noisy and disorderly, apparently from the effects of a few glasses of beer.

The Boys of Forty Years Ago

Nor did drinking among boys begin just before prohibition. Common sense should tell us that it began when men began to drink, which was thousands of years ago. Everybody who was a boy 40 years ago knows they were drinking then. Not all boys, but some boys. They did not drink as bad liquor as they drink now, but they drank. What is the use of losing our memories? It is nonsense to say that boys began to drink only when prohibition came or that prohibition has made more of them drink. The facts are all against such a conclusion. Before prohibition there were hundreds of places where they could get liquor to every one that is open to them now. In the old days they could not walk a block in some of the cities without passing a swinging door. There was everything that saloons could do to make them drink and only what parents could do to keep them sober. Furthermore, liquor now costs many times more than it did then—and most boys have not much money. When tens of thousands of saloons were wide open and selling liquor to boys, the saloons said nothing about boys' drinking. Now that only a few places are selling liquor to boys or anybody else, the liquor interests are making a great outcry about what is happening to our youth. Why this sudden saloon interest in youth? It isn't interest. It is propa-

ganda. The liquor gentlemen seek only to use the youth of the land as clubs with which to beat down prohibition.

The Moderation League, an organization of wets that is international in character, since it came here from Canada, says that arrests for drunkenness are now equal to the pre-war level, that prohibition has "failed utterly," that drunken automobile drivers have increased in numbers far beyond anything ever before known in this country and, in the interest of sobriety, urges that the law be relaxed.

After the Moderation League's report was issued, I wrote to the mayors of forty cities scattered all over the country to inquire how many arrests for drunkenness had been made in their respective cities each year since 1914. I found that, so far as mere figures were concerned, the League's report was correct, except for the fact that in Chicago arrests for disorderly conduct and drunkenness were bunched and all attributed to drunkenness. Mayor Dever wrote me that it was impossible to tell how many arrests were made for drunkenness in Chicago, as both offenses were included in the same figures.

The World League Against Alcohol put the first puncture in this defeatist propaganda by calling attention to the fact that the League's figures failed to take into consideration the increase of population since 1914. When the increase of population is reckoned with, the Moderation League's own figures show us that there has been a decrease of 26 percent in arrests for drunkenness since 1914.

The Quality of Liquor

But that is not the whole story about this half-truth by means of which it is hoped to kill prohibition. Has no one ever thought to ask the Moderation League whether arrests for drunkenness indicate anything else except the number of persons who are drinking? Do not such arrests, particularly in the present circumstances,

indicate a great deal with regard to the kind of liquor they are consuming. The liquor that law violators are selling and drinking today is perhaps the most deadly stuff that was ever put into a human stomach as a beverage. Much of it is made from redistilled, denatured alcohol from which all the formaldehyde has not been and can not be removed. It is harsh, raw, laden with poison, and utterly unfit to drink. But it has a kick like a mule and goes tearing through the system like a hurricane. It sometimes sells as high as $10 a quart, but it is so strong that it is now cheaper to get crazy drunk than it used to be when whisky was relatively inexpensive. A drink or two and trouble begins.

Now, in 1914 when whisky was not so poisonous and so hell-productive, a hundred men could drink all they felt they could carry, and perhaps one of them would fall into the hands of the police and become a part of the total charged with drunkenness. Let a hundred men drink the poison that is being sold as whisky, and many more than one will land in the station house. More will be arrested, first because the raw blend of alcohol and formaldehyde is more deadly, and secondly because in the old days it was the policy of the police not to arrest drunken men so long as they were peaceable and able to walk, while now it is police policy to nail everybody who is seen drunk on the streets.

"Before prohibition," said one chief of police, "we hardly arrested anybody who was drunk. Now we bring in even those who smell of liquor."

Probably most police chiefs are not so strict as that, but the new policy is nevertheless indicated. And, furthermore, in the old days, most saloons harbored their drunks in back rooms instead of pushing them out into the street to be arrested. There were 177,790 saloons when the Volstead Act became effective. Imagine an average of two or three drunks in each of these places.

What effect would they have had upon the figures if they had been pushed into the street? They are pushed into the street now. The present rule is, drink and go. Don't drop dead on the premises or stay and make a row that may attract the police. If each saloon, in 1914, had harbored only two drunks in its back rooms, the arrests for 1914, instead of being 506,737, would have been 862,317. Compare this figure with the 498,752 that, according to the Moderation League, were arrested in towns of more than 5000 population in 1924.

You are told by the liquor interests, through the Moderation League, that between 1914 and 1925 there has been an appalling increase in the number of drunken automobile drivers. That looks bad. Where are the facts? The fact is that there has been an enormous increase in the number of drunkards who drive, due to the circumstance that there was an increase of more than 800 percent in the number of automobiles driven. In 1914 there were only 1,711,339 licensed automobiles in the United States. At the end of 1924 there were 17,591,981. These extra fifteen million drivers naturally included many who drink. They add to the dangers of driving, but their existence does not mean that automobile drivers are taking to drink. It means only that drinkers, among others, are taking to automobiles. And the liquor interests furnish them with drink.

The Quantity Decreases

Considering the nature of the poison that is drunk as liquor today, with its high percentage of fatality and arrests, is it not plain that drinking has dwindled relatively to small proportions? Otherwise, would there not have been more arrests? According to the Moderation League's own figures there were fewer arrests in 1924 than there were in 1914. How many arrests would there have been in 1914 if those who drank then had consumed the kind of poison that is on sale today? Some of the

liquor that is now on sale was made by moonshiners who use poison ivy and lye in preparing it, thus shortening the process, reducing the likelihood of arrest, and enabling them to get the boozers' money more quickly. Of the liquor seized by the federal authorities, not more than one sample in one hundred is without poison. It is so bad that deaths from alcoholism in 1925 in the city of New York reached the highest figure in the city's history. There were 87 such deaths in 1918, and 546 in 1925. During this period the arrests for drunkenness doubled, but fatalities increased more than 500 percent. Arrests doubled because the liquor interests did not dare so flagrantly to defy the prohibition law in wartime, and fatalities were fewer because those who drank in 1918 were still drinking whisky instead of formaldehyde, poison ivy, lye, and only the moonshiners know what else. And in this connection, remember that the moonshiners are now making most of what is sold as whisky. The foreign supply, both from across the sea and across the border has dwindled to a trickle. We are now making our own poison.

If we are drinking as much as we did before prohibition, who is making it? Before prohibition, 507 distilleries annually produced 268,000,000 gallons of distilled spirits, of which 130,000,000 gallons were made into whisky. Since January 1, 1922, no distillery has operated legally. Do you believe moonshiners and home-brewers have duplicated this output?

Before prohibition 1300 breweries annually made two billion gallons of beer. Now 400 cereal beverage manufacturers are making 160,000,000 gallons of near-beer. Suppose all of this near-beer is, in reality, real beer. Who is supplying the other 1,840,000,000 gallons of beer that Americans used to drink?

Prohibition put out of business 177,790 saloons, all of which were required to dispense the liquor that Americans drank. Where are the corresponding number of

blind pigs? Do you believe a few places, hidden behind closed doors and passwords and constantly in fear of the police, sell as much booze as did the saloons you used to see?

If prohibition is a failure, why is our national death-rate almost at its lowest point? Is poisoned liquor beneficial to all of those who drink it except those who go mad and get into the hands of the police and those who succumb to alcoholism and get into the hands of the coroner?

If we are drinking as much as we did before prohibition, why have practically all the "drink cure" establishments that flourished before prohibition gone out of business? Why did the Washingtonian Home of Chicago, when lack of custom made it lose $1000 a month, quit business, and why did its president, Judge J. Kent Greene, in closing it, say that "in another generation intemperance will be entirely wiped out"?

If prohibition is a failure, why did the number of shareholders in New York building and loan associations increase from 172,000 in 1914 to half a million in 1925? Why have savings bank deposits increased everywhere? Why has the percentage of relief work done to alleviate poverty caused by drink decreased from 75 to 15? Why did Commander Evangeline Booth of the Salvation Army say in a speech in Chicago last year: "Tens of thousands of children are going to school today that went hungry before. Mothers who never had a dollar for clothes are well dressed. Spendthrifts have bank accounts. Employers of armies of men testify they can depend on their employees now." Do the liquor interests know better than Commander Booth what prohibition is doing for those who formerly were the victims of the liquor interests?

If prohibition is a failure, why are the per capita savings of the rest of the world, according to the United States government, $10.87 and the United States $186?

Granted that many other factors beside drink and prohibition enter into these figures, it is not still true that the productivity of sober men is greater than that of drunken ones, and the sums drunken men spend are saved by those who do not drink?

A Pertinent Query

And finally, if prohibition is a failure, why are the liquor interests so exercised about it? Didn't they, from the beginning want it to fail? If the failure is complete, as they say, what more do they want? Why do they want the law changed?

The truth is that the enforcement of the Volstead Act satisfies nobody. It is enforced too well to suit the wets and too poorly to suit the drys. But to say that it is a failure is merely defeatist propaganda. It is not a failure when in New York, the richest city in the world, arrests for drunkenness decreased from 19,755 in 1914 to about 10,000 in 1925, notwithstanding a very considerable increase in population that took place during this period.

Notwithstanding increases of population the following cities, according to reports sent to me by their chiefs of police, show fewer arrests for drunkenness:

Los Angeles, which has grown some since 1916, made 18,175 arrests that year and 10,744 in 1924. San Francisco made 14,389 in 1915, 8,069 in the first eleven months of 1925. Portland, Oregon, dropped from 6,965 in 1913 to 3,922 in 1924; Providence, Rhode Island, from 6,496 in 1914 to 4,819 in 1924 and 2,611 for the first eight months of 1925; Boston from 59,159 in 1914 to 25.183 for the first eight months of 1925; Buffalo, from 13.713 in 1914 to 7,154 for the first eight months of 1925.

PROHIBITION ENDING WIFE-BEATING[22]

Park benches are emptied of their drunken derelicts, and the men who used to make their wives and children

[22] *Literary Digest.* 88: 30-1. March 20, 1926.

the victims of their thirst and besotted rage have sobered up and returned to work to feed their families. And that one fact, believes Evangeline Booth, Commander of the Salvation Army in the United States, is the most convincing argument in favor of prohibition and against the return of the saloon. She is sure, however, that the Eighteenth Amendment is so firmly entrenched in public favor that it will never be repealed, and equally sure that it can be enforced. Such drinking as is indulged in now, she asserts, is a fad of the idle rich which will die out, or else society—society, that is, with the big "S"—will be turned upside down and furnish rum wastrels for the Salvation Army to salvage. Miss Booth's utterance is no careless statement of fact and possibility, for there is no more seasoned worker among the submerged tenth than she, none among the world's greatest moral clean-up organizations more familiar with the sodden aspects of drunkenness and debauchery and their devastating influence on the home. It was while convalescing from an attack of appendicitis that she issued her statement on prohibition, which is quoted in part by the New York *Times* as follows:

After all these years of hard fighting to protect the home, emancipate neglected children and wipe from our national escutcheon the disgrace of the evils arising from drink, it is good to find that the people of America have come to a correct judgment concerning the drink evil. It is unthinkable that the country will ever return to the deadly saloon system and a resumption of liquor vending.

Surely it will be conceded that the Salvation Army knows something about the evils of strong drink. From the day my father founded the organization in England to combat the degradation and vice that are inevitable consequences of liquor drinking, the Salvation Army has held rigidly to its purpose, and feels that it had a great deal to do with the enactment of prohibition in America.

It is an illogical thing to say that because a new law has not worked like magic it is best to cast it aside and return to the original state of vice which, because of its awfulness, prompted the enactment of that law. Such a thing would make civilization march backward. It is rather the duty of the citizen, the state and the government to find ways and means to make the

law work out its unquestioned benefits to humanity. It can be done. It is being done.

Enemies of the Volstead Law waste their time when they try to tell organizations like the Salvation Army that national prohibition will not work. Vast changes have come about, and to undo them would be to strike a blow at every fireside and every industry in this country.

Why try to tell the Salvation Army that the park benches are crowded with drunken men as they were before prohibition when we used to gather them in on Thanksgiving Day, for example, and fight to salvage them? They are gone. The benches still remain, but the occupants are not drunk any more; they are climbing upward to better things while the public rushes by all unheeding. Why try to tell us that workingmen spend their wages before their families can get the money for food, and that men beat their wives and children as in the old days? It simply is not the case.

If the idle rich persist in making a sport of the prohibition law, the day may come when the boulevardiers, vastly in the minority, will have to be salvaged out of their attractive places for secret drinking and rescued, if possible, by the Salvation Army just as the poor saloon victim used to be. In that event the sober and progressive working classes will automatically become the aristocrats, and society, so-called, will be turned upside down in its system of organization.

In other words, drinking and flouting the prohibition law are a fad and will die out.

BRIEF EXCERPTS

But the solid fact remains: The American workingman has gone sober.—*James Stevens. Saturday Evening Post.* 198:56. *January* 16, 1926.

Personal liberty does not mean and cannot be made to mean a right to act against the public interest.—*Outlook.* 143:279. *February* 24, 1926.

We must either destroy alcoholism and venereal disease, or these evils will destroy us [the white race].—*Charles W. Eliot. A Late Harvest. p.* 266.

Drinking among the undergraduates in our schools and colleges is steadily decreasing.—*Alfred E. Stearns. Harper's Magazine.* 153:775. *November,* 1926.

The disappearance of the licensed liquor saloon is universally regarded as a very great social gain.—*S. K. Ratcliffe. Contemporary Review.* 129:712. *May,* 1925.

Even our short experience with prohibition shows that it has meant an increase of well-being in a great many poor families.—*Edward A. Ross. Civic Sociology. p.* 170.

The American people will never repeal the Eighteenth Amendment until its enforcement has had a fair trial, and it has never had a fair trial.—*William E. Borah. Borah-Butler debate. April* 8, 1927.

It is obvious that no single state could possibly enforce prohibition, because it had no power to prevent the manufacture of alcoholic drinks outside the state or their importation into it.—*Charles W. Eliot. A Late Harvest. p.* 263.

If a law is to be condemned because it violates personal liberty, then practically all of our police regulations, to use the word in its widest sense, ought to be condemned.—*Henry W. Farnam. In E. A. Ross's Civic Sociology. p.* 201.

The return to the sale of wines and beer, which some are advocating, would in my judgment increase, and not reduce, the present evils, and would make any enforcement of the law impossible.—*Bishop William T. Manning. The Question of Prohibition.*

For any of our inhabitants to observe such parts of the Constitution as they like, while disregarding others, is a doctrine that would break down all protection of life and property and destroy the American system of ordered liberty.—*President Coolidge. Message to Congress, December* 7, 1926.

I do not think that the American people want to go back to the old saloon. I do not believe that the American people propose to turn back to the grog shop. And yet I say to you that Government control means the old saloon back again under another name.—*William E. Borah. Borah-Butler debate. April* 8, 1927.

If [the Volstead Act were] modified, either by the admission of light wine and beer, or by leaving the definition of intoxicating liquor to the States themselves, the problem of enforcement would not only remain; it would be further complicated.—*S. K. Ratcliffe. Contemporary Review.* 129:712. *May,* 1925.

One hundred ten millions of people do not continue to make fools of themselves for long. They are the most prosperous people under the sun, not because they have the gold, but because they have not the drink.—*David Lloyd George. Speech in London, October* 1925. *Manufacturers' Record.* 90:90. *November* 11, 1926.

The issue is no longer whether prohibition shall be established; it is whether or not the Constitution shall be preserved. Nullification or preservation? Anarchy and license or regulated liberty? There is but one choice and we unhesitatingly make it—liberty under law and supremacy of the Constitution now and forever!—*William G. McAdoo. Worth While.* 12:25. *October,* 1926.

National prohibition did not come as the result of an effort to make men moral by law. It was only when public opinion became convinced that the legalized liquor trade was hopelessly corrupt and corrupting and that traffic in alcoholic drink was an economic burden which the nation could not afford to bear that prohibition became national.—*Outlook.* 142:132. *January 27,* 1926.

The survey of the boy population of New York City, made by the Kiwanis Club under the presidency of Dr. George J. Fisher, is, however, of great value. . . The brightest spot in the report is the record of a decreased boy delinquency throughout the city since 1917—about 30 per cent. as estimated, and a much greater decrease in proportion to the increased population.—*Editorial. New York Times. January* 8, 1927.

What of the plea for the manufacture and sale of light wines and beer? To us it seems a piece of camouflage. People drink, not for the taste of the liquor, but for its effect. Whether they seek a pleasant glow or sodden oblivion, their desires differ only in degree. It is not in the experience of other countries that the admission of light wines and beers to public commerce lessens the demand for stronger beverages.—*Editorial. Outlook.* 142: 279. *February* 24, 1926.

There is far less liquor consumed than in the days of the licensed saloon, despite a surprising amount of comment to the contrary. If over-enthusiastic wets would take a sober turn through the extensive dry regions of the country, and the dry parts of their own regions, they would see things in better perspective. The extensive prosperity prevailing in this country, evident to all the world, may be due more to prohibition than to any other factor, resulting from the immense saving of money formerly spent for liquor, and from the increased efficiency of sober citizens.—*Editorial. Cleveland Times. October* 18, 1926.

Specious pleas under the guise of States' Rights have recently become current in some parts of the country for the purpose of justifying evasion or resistance to the enforcement of the prohibition laws. They have no application to this case. Two of the states in which those

claims have been pressed with some vigor, New York and Maryland, ratified the Eighteenth Amendment, thereby expressly surrendering to the Federal Government the power to deal with the liquor question. They are estopped now from claiming that their rights are invaded because the Federal Government enforces the Constitution.—*William G. McAdoo. Worth While.* 12:22. *October,* 1926.

That there never has been a system of any shape or kind introduced for the purpose of controlling liquor traffic that the liquor traffic itself has not undertaken to pollute and corrupt and break down. There is no law of which the human brain can conceive that they will not undertake to undermine and distort by corruption of the officers, and you have exactly the same fight under the Eighteenth Amendment that you would have under Government control. Do you think that the liquor traffic would lie down, surrender, be good and satisfy the law under Government control? Not at all.—*William E. Borah. Borah-Butler debate. April* 8, 1927.

The proposal to modify the Volstead Act so as to permit the sale of wines and beer presents insuperable objections. It would make enforcement more difficult. It would inevitably mean the return either of the saloon or something equally undesirable. Bootlegging in stronger liquors would become more menacing because it would tend to operate through the places where the milder intoxicants were sold. Moreover, there is no evidence to justify the contention that to permit wine and beer would reduce the consumption of ardent spirits. The teaching of experience is to the contrary.—*Statement of the Federal Council of the Churches of Christ in America. Senate Hearings.* 1926. *p.* 766.

What the country as a whole has accomplished during the past five years in increased national efficiency in

these directions is impossible of measurement. Nor does the Department of Commerce lay claim to credit for the great progress that has been made, save as we may have helped to organize a definite public movement. That movement is the result of a realization by every group—business men, industrial leaders, engineers, and workers—of the fundamental importance of this business of waste elimination. In addition to the elimination of waste we have had the benefit of notable advances in science, improvement in methods of management, and prohibition.—*Herbert Hoover. Reduction in Prices Through the Elimination of Industrial Waste. p.* 2-3.

We have been against Government ownership at Muscle Shoals, but how simple and how incidental would that be to Government manufacture, sale and distribution of liquor to 120,000,000 of people? We have turned away from Government ownership of railroads, we have worried and agonized over the administration of a few Government ships, we have shuddered at the thought of Government ownership of coal mines and we are now fighting over the question of power; and yet Muscle Shoals, the railroads, the ships and coal would not so test these institutions as Government control, manufacture and sale of intoxicating liquor. In my opinion, it would rot out the pillars of Government inside of half a century. It contains every evil and none of the virtues of prohibition. It would be bureaucracy and bureaucracy—drunk!—*William E. Borah. Borah-Butler debate. April* 8, 1927.

There have been four reasons which, in the past, prevented the joint stock corporation from becoming a thoroughly democratic institution. These reasons have prevented the masses from availing themselves of the opportunity for this form of popular ownership. . . Second, the enormous waste of money on drink has dissipated such savings as large numbers of laboring men

might otherwise have made from their low wages. . . The second hindrance is partially removed by our prohibitory law. In spite of the enormous amount of bootlegging, the wage workers are, in the main, protected against this menace by the high price of bootleg liquor. Instead of regarding this as discrimination against the laboring man, sensible people regard it as discrimination in his favor. So long as it is the rich rather than the poor who squander their substance on bootleg liquor, it is tending toward equality rather than inequality of prosperity.—*Thomas N. Carver. Proceedings of the Academy of Political Science.* 11:40-1. *April,* 1925.

From the beginning of its existence the Federal Council of the Churches of Christ in America has been unequivocally committed to the policy of prohibition. No divergent judgment has at any time been expressed either by the Federal Council of the Churches or by any of its constituent denominations. The support of national prohibition by the Federal Council of the Churches rests upon four fundamental considerations. First, the belief that in dealing with gigantic social evils like disease or crime, individual liberty must be controlled in the interest of the public welfare. Second, the belief that the liquor traffic is beyond question such an evil. Third, the conviction that no plan less through-going than prohibition is sufficient to eradicate the evils of the liquor traffic. Fourth, the evidence of history that other methods of attempting to control the traffic have failed and that prohibition, despite inadequacies of enforcement, is succeeding better than any other program.—*Statement of the Federal Council of the Churches of Christ in America. Senate Hearings.* 1926. *p.* 765.

However much prohibition may be blamed for foolishness among certain of the young people and the newly rich of today, statistics clearly show that prohibition has been a great factor in bringing about present prosperity.

Of course, the money heretofore spent for drink was not destroyed, it merely went from the hands of the wage workers to the hands of the brewer; but productive lives were destroyed and handicapped, which in turn greatly reduced the productivity of the nation.

Prohibition has resulted in increasing the working power of the wage worker and has been a great factor in bringing about higher wages. Moreover, money received, instead of being employed uselessly for hiring labor to manufacture whisky and beer, has been used in hiring labor to build houses, make clothes and other things that are worth while. A great portion of this money has gone into savings banks which money has been a great factor in keeping rates low.

Had it not been for prohibition the present growth in the installment business would have been impossible. It was prohibition which enabled wage workers to establish credits. Without prohibition these credits could not have been established; the goods purchased never could have been manufactured and the prosperity which we now enjoy would not exist. Prohibition not only has made credit more worth while, but it has swelled the credit possibilities of our people.—*Roger W. Babson. Cleveland Plain Dealer. November* 26, 1926.

Debaters' Handbook Series

Each volume contains a well chosen collection of reprints of arguments on both sides of the question with a brief and a carefully selected bibliography that invites one to further reading on that subject.

Cloth. Price $1.25 *unless otherwise quoted.*

Compulsory Insurance. Bullock. 1912.

Employment of Women. Bullock & Johnsen. 1919.

Federal Control of Interstate Corporations. Phelps. 1915.

Free Trade vs. Protection. Morgan. 1912.

Minimum Wage. Reely. 1917.

Parcels Post. Phelps. 1913.

Recall, Including Judges and Decisions. Phelps. 1915.

Single Tax. Bullock and Johnsen. 1917.

Trade Unions. Bullock. 1916.

The Handbook Series

This series includes a number of subjects on public questions on which every man and woman should be well informed. The reprints are grouped (for convenience) according to the stand taken by the speaker quoted on the subject and an extensive bibliography guides one to further reading on the subject.

Cloth. Price $1.25 *unless otherwise quoted.*

Agricultural Credit. Bullock. 1915.

Americanization. Talbot and Johnsen. $1.80. 1920.

Birth Control. Johnsen. $2.40. 1925.

Capital Punishment. Beman. $2.40. 1925.

Child Labor. Johnsen. $2.40. 1924.

Closed Shop. Beman, 2d ed. $2.00. 1922.

Commercial Arbitration. Bloomfield. $2.40. 1927.

Criminal Justice. Kirby. $2.40. 1926.

Current Problems in Municipal Government. Beman. $2.40. 1923.

Current Problems in Taxation. Beman. $2.25. 1921.

Debaters' Manual. Phelps. 5th ed. $1.50. 1924.

Disarmament. Reely. $2.25. 1921.

Employment Management. Bloomfield. $2.40. 1919.

European War. Vol. II. Bingham. 1916.

Evolution. Phelps. $2.40. 1926.

Fundamentalism vs. Modernism. Vanderlaan. $2.40. 1925.

Government Ownership of Coal Mines. Jonsen. (Slightly imperfect copies only). $2. 1923.

Marriage and Divorce. Johnsen. $2.40. 1925.

Modern Industrial Movements. Slavonic Nations of Yesterday and Bloomfield. $2.
925.

Negro Problem.
1921.
.40

Prison Reform.
2.40

Problems of La
$2.40. 1920.
nan.

Prohibition: Mo
Volstead Law
1924.
ors-

Short Ballot. Bu
sen.

Abridg

Collections of a
and bibliography.
rief

Athletics. Johnse
ele

Fortification of
Fanning. 1912.

Uni

Series of year
on important questi
sides. Each debate

Vol. XII. 1925-19
Revision of Rules
Senate; Governm
Regulation of the
eral Department o
ment Restriction
Centralization of
Government; Popu
War; Air Service,
ment of National
the Curse of the

Vol. XI. 1924-192
Cabinet Form of Governmen
ese Exclusion; Uniform M
Divorce Law; Participa
President's Cabinet in
Control; Mencken Sch
Amendment of the
Labor.

171.738
B 421
16060
BEMAN, LAMAR
AUTHOR
Porhibition Modification of the Volstead Act.
TITLE

DATE LOANED	BORROWER'S NAME	ROOM NUMBER
	STORAGE - CBPL	

16060